

**George E. Pataki, Governor**  
Michael J. Hoblock, Jr., Chairman  
Cheryl Ritchko-Buley, Member  
Edward J. Martin, Executive Director

**NEW YORK STATE RACING AND WAGERING BOARD**  
Annual Report and Simulcast Report  
Calendar year 2004

**Mission Statement of the Racing and Wagering Board:**

**Our Purpose** is to ensure that New York State's legalized casinos, pari-mutuel, and charitable gambling activities operate with integrity and are in full compliance with New York State statutes and rules.

**We safeguard the interest of the public**, including the taxpayers and patrons by ensuring that the regulated entities and their employees participating in, or benefiting from legalized gambling operate with probity. We will expeditiously respond to all public concerns.

Executive Management espouses that **personal integrity is paramount** for all Board employees who must ensure honest and proper conduct of legalized gambling and other regulated activities. To properly serve the public, all employees must perform their duties in an ethical manner that is above reproach. To meet this goal we advocate teamwork, intra-agency communication, mutual respect, training, and advancement to reach each employee's potential.

Only through vigilance, competence and dedication can the Board and its employees be successful in performing its **statutory responsibilities**.

*Chairman*  
Michael J. Hoblock, Jr.



*Executive Director*  
John G. Cansdale

*Members*  
Cheryl Ritchko-Buley

*Secretary to the Board*  
Gail Pronti

**STATE OF NEW YORK  
RACING AND WAGERING BOARD**

July 1, 2005

To: The Honorable George E. Pataki, Governor  
Members of the New York State Legislature, and  
John Cape, Director of the Budget

On behalf of the members and staff of the New York State Racing and Wagering Board, it is our pleasure to present the 2004 Annual Report. This report, which is submitted to the Governor and the Legislature in accordance with Chapter 346 of the Laws of 1973, reflects the activities of the Board and our regulated industries during calendar year 2004. As in past years, the Simulcast Report, as required by Racing, Pari-Mutuel Wagering and Breeding Law Section 1002.2, is incorporated into the Annual Report. Included in the report are an outline of the structure of the Board, a summary of our legislative agenda, and significant statistical data. The year 2004 saw the following major developments affecting racing and wagering in our State:

- A total of \$2.71 billion was wagered on horse racing across the State which reflects a slight decline from the \$2.74 billion wagered in 2003.
- Bona fide religious, charitable or non-profit organizations of veterans, volunteer firefighter and similar non-profit organizations around New York State continue to benefit from the conduct of games of chance and bingo. Public support of charitable gambling endeavors was evidenced by the \$397 million wagered on charitable gaming activities. This wagering resulted in \$66.8 million being raised for the charities.

The Board would like to express our appreciation for the cooperation rendered by the Governor, the State Legislature, other public officials, and various track operators and industry leaders.

We look forward to the future as the Board meets the challenges of this ever changing industry and continues to serve as a national leader in the field of gaming regulation. The Board will work diligently toward that end as we continue to serve the public in 2005 and beyond.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Hoblock, Jr." with a stylized flourish at the end.

Michael J. Hoblock, Jr.  
Chairman

A handwritten signature in black ink, appearing to read "Cheryl Buley" in a cursive script.

Cheryl Buley  
Member

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## ***Members of the Board***

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The New York State Racing and Wagering Board consists of three members, appointed by the Governor with the consent of the New York State Senate, for six-year terms. Members are eligible for reappointment at the discretion of the Governor. Of the three, one is designated by the Governor to serve as Chairman. There is currently one vacancy on the Board.

Members of the Board meet each month to conduct business, approve racing dates, decide matters of racing importance, and mete out penalties to certain licensees found in violation of racing rules and law. Additional meetings are routinely called on items of utmost importance. The Board met 17 times during calendar year 2004. Meetings are held at the Board's Albany office on the second floor of 1 Watervliet Avenue Extension, Albany, NY. All board meetings are open to public attendance and have an agenda which is released 48 hours prior by written notice and publication on the Board's website.



**Chairman Michael J. Hoblock, Jr.** was appointed Chairman of the New York State Racing and Wagering Board by Governor George Pataki and confirmed by the New York State Senate on May 6, 1997. Mr. Hoblock was reconfirmed and appointed to a second six-year term as Chairman on June 21, 2002. Concurrently, Mr. Hoblock serves as Chairman of the Agriculture and New York State Horse Breeding and Development Fund; Vice-Chairman of the New York State Thoroughbred Breeding and Development fund; Vice-Chairman of the New York State Capital Investment Fund; and Vice Chairman of the Harry M. Zweig Memorial Fund.

Mr. Hoblock has a lengthy background in public service. Starting in 1978, he served three terms in the New York State Assembly, followed by six years as a member of the Colonie Town Board and three years as Albany County Executive. In 1994, Mr. Hoblock was elected to the New York State Senate.

Mr. Hoblock voluntarily served with the United States Marine Corps and is a veteran of the Vietnam War. As a Marine, Mr. Hoblock served as an Infantry Company Commander, Judge Advocate and Military Judge. Later he established a private practice where he practiced law for 25 years.

As co-owner of Standardbreds in the early 1970's, Mr. Hoblock had the opportunity to experience the racing industry firsthand as an active participant. While his horses raced primarily at harness tracks in New York State, Mr. Hoblock gained valuable knowledge that has served him well in his role as Chairman of the Board. In addition, as a legislator, he was instrumental in securing passage of legislation that was beneficial to the charitable gaming industry. From 1979 to 1985, he also served as Vice-Chairman of the Elks Government Relations Committee and assisted with the formation of the NYS Division of CONPOR, the Conference of Private Organizations.

Mr. Hoblock resides in Loudonville, New York with his wife Karen.



**Board Member Cheryl Ritchko-Buley**, appointed to the Racing and Wagering Board by Governor Pataki, was confirmed by the New York State Senate on June 13, 2000 and is the first woman to serve on the Board. Ms. Buley also serves as Vice Chair of the Wagering Systems and Security Committee of the Association of Racing Commissioners International. Ms. Buley graduated summa cum laude from Boston University where she earned a masters degree in public relations in 1988. She completed an international business program at the University of Copenhagen in Denmark and holds a bachelor's degree in business and marketing from The State University of New York at Plattsburgh. Ms. Buley began her career working as a legislative aide for New York State Senator Joseph L. Bruno from 1985 to 1986.

She moved into the private sector as a consultant, where she developed award winning public information campaigns for McDonald's Corporation and The Dental Society of the State of New York. Among the clients she has served is the president of the American Dental Association, McDonald's Corporation – where she managed regional chapters of Ronald McDonald House Charities, Sheraton Hotels, and Marine Midland Bank. She also worked in Oslo, Norway for Arthur Young as a market analyst in 1990.

Ms. Buley resides in Slingerlands, New York with her husband and two children.

## ***Executive Staff***

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*\*\*This annual report, including the executive staff listed herein reflects Board activity for calendar year 2004. Please note that Edward Martin has since left the Board to serve as President and CEO of the Association of Racing Commissioners International and has been replaced by John G. Cansdale. Erin Dahlmeyer also has left the Board to pursue another position in state government and has been replaced by Gail Pronti.*



**Edward J. Martin, Jr., Executive Director** joined the New York State Racing and Wagering Board as Executive Director in April, 1997. He manages a staff of approximately 250 professionals responsible for the enforcement and adjudication of laws and regulations governing virtually all forms of legal wagering in New York State. Prior to his appointment to this position by Governor Pataki, Mr. Martin was the Executive Deputy Commissioner of the New York State Department of Economic Development. In this capacity he was not only responsible for the State's economic development programs but also the I Love NY tourism campaign and the Governor's Motion Picture Office.

In 1995, Mr. Martin was appointed by the Governor to serve as one of seven members of the Commission on Casino Gambling and was responsible for assessing the economic impact of the legalization of casino gambling on New York State.

Prior to joining the Pataki administration, Mr. Martin was a strategic consultant to various insurance, energy, telecommunications, broadcast, political, defense, and off-track wagering concerns. He worked in the State Legislature as Communications Director for the New York State Senate and in Washington as Director of External Affairs and Congressional Relations for the Federal Energy Regulatory Commission and Press Secretary to U.S. Senator Alfonse D'Amato.

In addition, the following individuals serve as members of the Executive Staff (listed in alphabetical order):

Brian Barry, ***Director of Racing Officials***  
Thomas Casaregola, ***Director of Audits and Investigations***  
Stacy Clifford, ***Public Information Officer***  
Erin Dahlmeyer, ***Secretary to the Board***  
Kevin Dempsey, ***Director of Administration***  
Robert Feuerstein, ***General Counsel***  
Joseph Lynch, ***Chief of Racing Operations***  
Daryll Messner, ***Director of Charitable Gaming***  
Nicole Robilotto, ***Manager of Licensing***  
Bruce Samboy, ***Bureau Chief of Indian Gaming Operations***

## ***About the Board***

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The Board has a staff of approximately 300, half of which are seasonal per diem employees assigned to the racetracks. The staff is managed by an Executive Director reporting to the Chairman who is responsible by statute for oversight of the staff. The Board consists of 7 departments: Administration, Audits and Investigations, Charitable Gaming, Casino Gambling, Counsel's Office, Racing Operations and Officials and the Secretary's Office.

### **Racing**

Each year the Board issues track licenses to each of the state's operating racetracks, both thoroughbred and harness. The Board also issues simulcast licenses to the racetracks and off track betting corporations to enable simulcasting of New York and out-of-state races.

It is the Board's responsibility to ensure the honesty and integrity of all horse races conducted in New York. All racing participants including jockeys, drivers, owners, trainers, grooms, track management, agents concessionaires, veterinarians, exercise riders, and others who work at New York State racetracks must be licensed by the Board each year. The licensing process involves a complete criminal background check, including a review of the applicant's experience, if any, in other states, an assessment of the applicant's character and fitness, and in some cases, a determination of the applicant's competency to perform the duties for which the license is sought. Once issued, a license may be suspended or revoked by the Board for any just cause.

Each race conducted in New York is observed by at least three stewards or judges. The stewards' viewing stand is located near the finish line of each racetrack and is equipped with several television monitors to permit a viewing of multiple angles of each race. The stewards observe the races to ensure that all conduct is in accordance with rules and regulations.

### **Casino Gambling**

Board inspectors patrol the casino floors at all times to ensure that the games are run consistent with the "compact" (i.e.: treaty) between the Indian Nation and the State of New York. The Board's primary role is to protect the patrons by ensuring that the games are conducted properly.

Each compact requires that all individuals involved with Class III gaming must be properly certified as a gaming employee by the Board. The Board's licensing department is responsible for the review and subsequent approval or denial of the applications submitted.

### **Charitable Gaming**

The primary focus of the charitable gaming unit is to work with licensed organizations to bring them into compliance with state law and Board rules.

By law, the Board is required to review applications for registration and identification numbers for any charitable organization seeking to conduct games of chance or bingo. The Board denies applications for those who are not charitable or who have been excluded by statute, i.e.: political party organizations and labor unions.

Staff reviews quarterly reports from charitable organizations and, on occasion requires an audit to be done to ensure that the proceeds from charitable gaming and bingo are used for charitable purposes.

## ***Brief History of the Board***

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The State Legislature established the New York State Racing and Wagering Board in 1973. The Board was created to combine the functions of the various existing racing commissions to provide a centralized authority. Of the consolidated commissions, the State Thoroughbred Racing Commission was the oldest, having been established in 1895. The Commission also held the prestige of being the oldest racing regulatory body in the nation. When the Racing and Wagering Board assumed the powers and duties of the Thoroughbred Racing Commission and Harness Racing Commission were created as advisory commissions.

In April 1970, New York State enacted a law permitting local communities to operate pari-mutuel off-track betting facilities. New York City OTB was the first, which started in 1971. Schenectady OTB followed in 1971, and then Western OTB commenced in 1974. Nassau OTB opened its first branch on January 31, 1975 followed by Suffolk OTB in April 1975 and Catskill OTB in 1976. At the time, simulcasting consisted of an audio signal, which was transmitted to the betting facilities. Simulcasting a live audiovisual signal was first authorized by the State Legislature in 1984 on an experimental basis and was extended permanently in 1990.

The first permanent appointment to the Racing and Wagering Board was Joseph H. Boyd, Jr. Governor Nelson Rockefeller appointed him as a member on June 30, 1973. Emil Mosbacher, Jr., the first Chairman of the Board was appointed on August 1, 1973. Including Chairman Mosbacher, there have been seven individuals who have served as Chairman of the Board, the longest term served by Richard Corbisiero from 1985 to 1995.

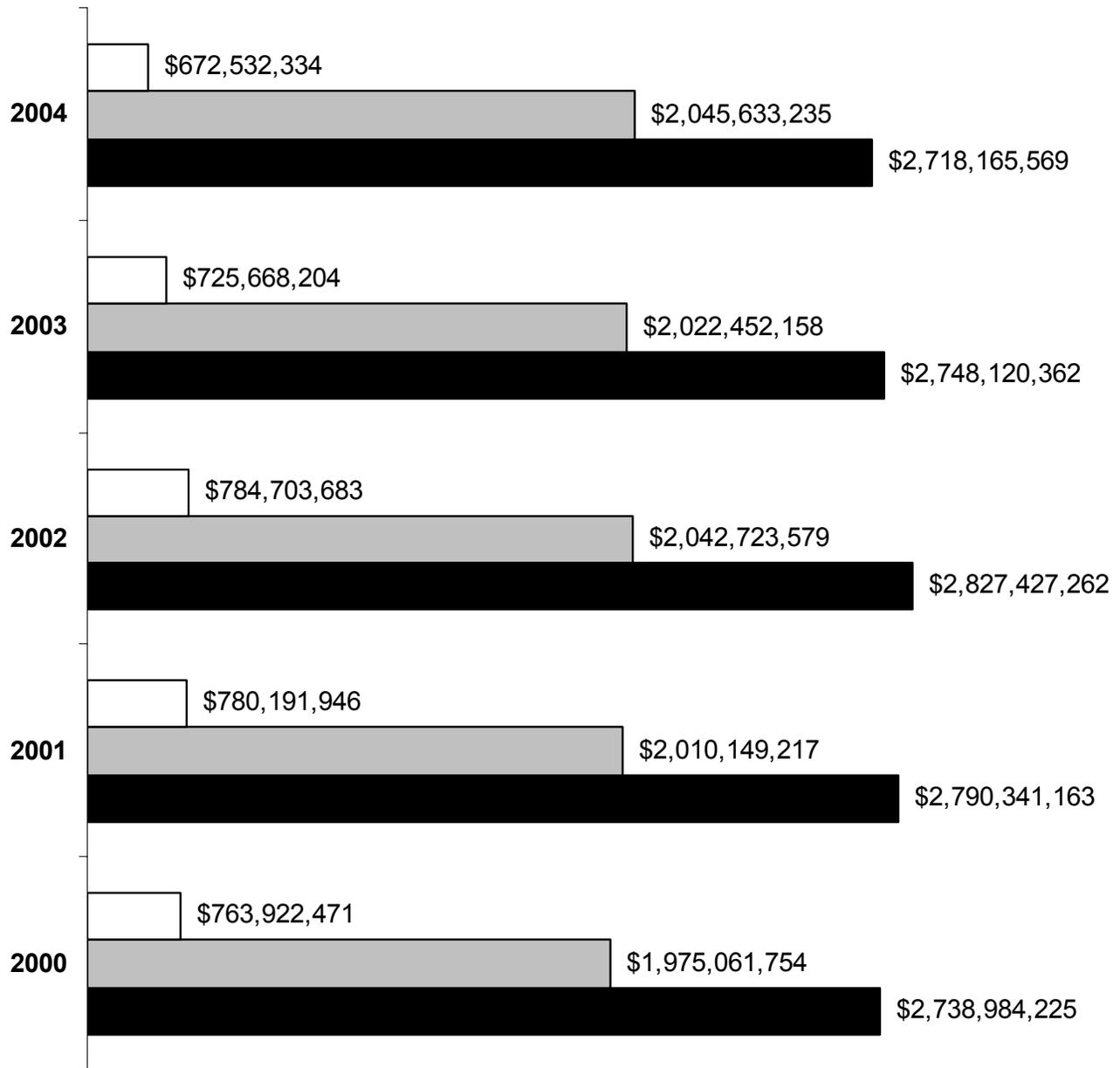
In 1977, the functions of the Bingo Control Commission were transferred to the Board. Since this transfer the Board has regulated both bingo and games of chance conducted by religious, charitable and certain non-profit organizations. Bingo was authorized pursuant to a constitutional amendment passed in 1957. Games of chance were authorized by constitutional amendment in 1975. Since then, the legislature has twice acted to expand the games permitted for charitable fundraising. In October of 1988, the Legislature amended the law to include bell jar (pull-tab) tickets and in April of 1994, raffles were included as a game of chance.

## ***Timeline - Chairmen of the Racing and Wagering Board***

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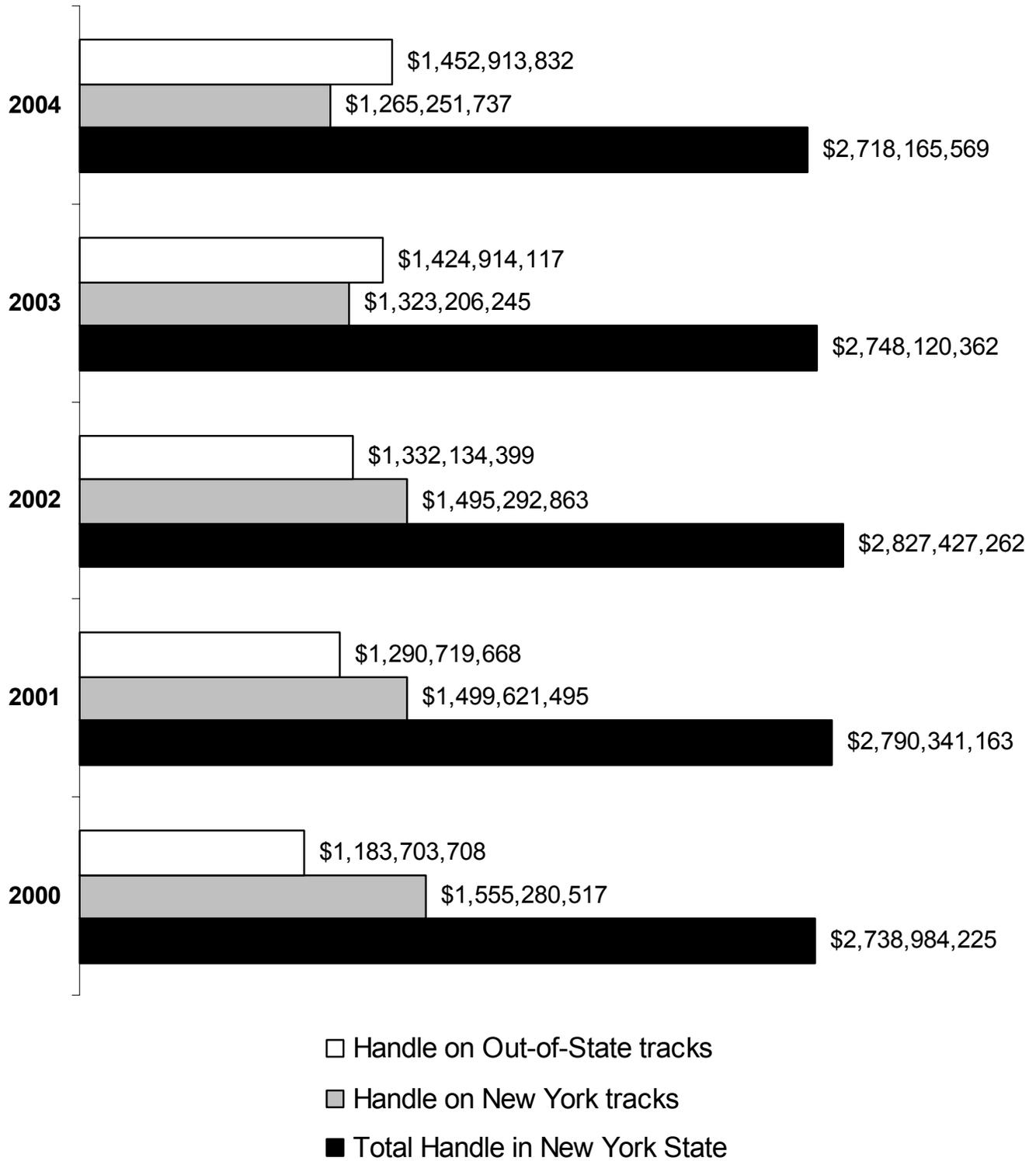
May 6, 1997 - Present	Michael J. Hoblock, Jr.
Sept. 1996 - May 1997	No Chairman
May 2, 1995 - Aug. 29, 1996	Jerry Bilinski
May 20, 1986 - March 15, 1995	Richard F. Corbisiero, Jr.
July 19, 1979 - March 5, 1986	John Van Lindt
1978	No Chairman - Executive Director was John Van Lindt
1976 - 1977	William G. Barry
1975 - 1976	Bertram Sarafan
August 1, 1973	Emil Mosbacher, Jr. appointed first Chairman of the Board
June 30, 1973	Joseph H. Boyd, Jr. First Chairman - appointed by Gov. Rockefeller.

# Total Pari-Mutuel Handle- Racetracks and Off-Track Betting

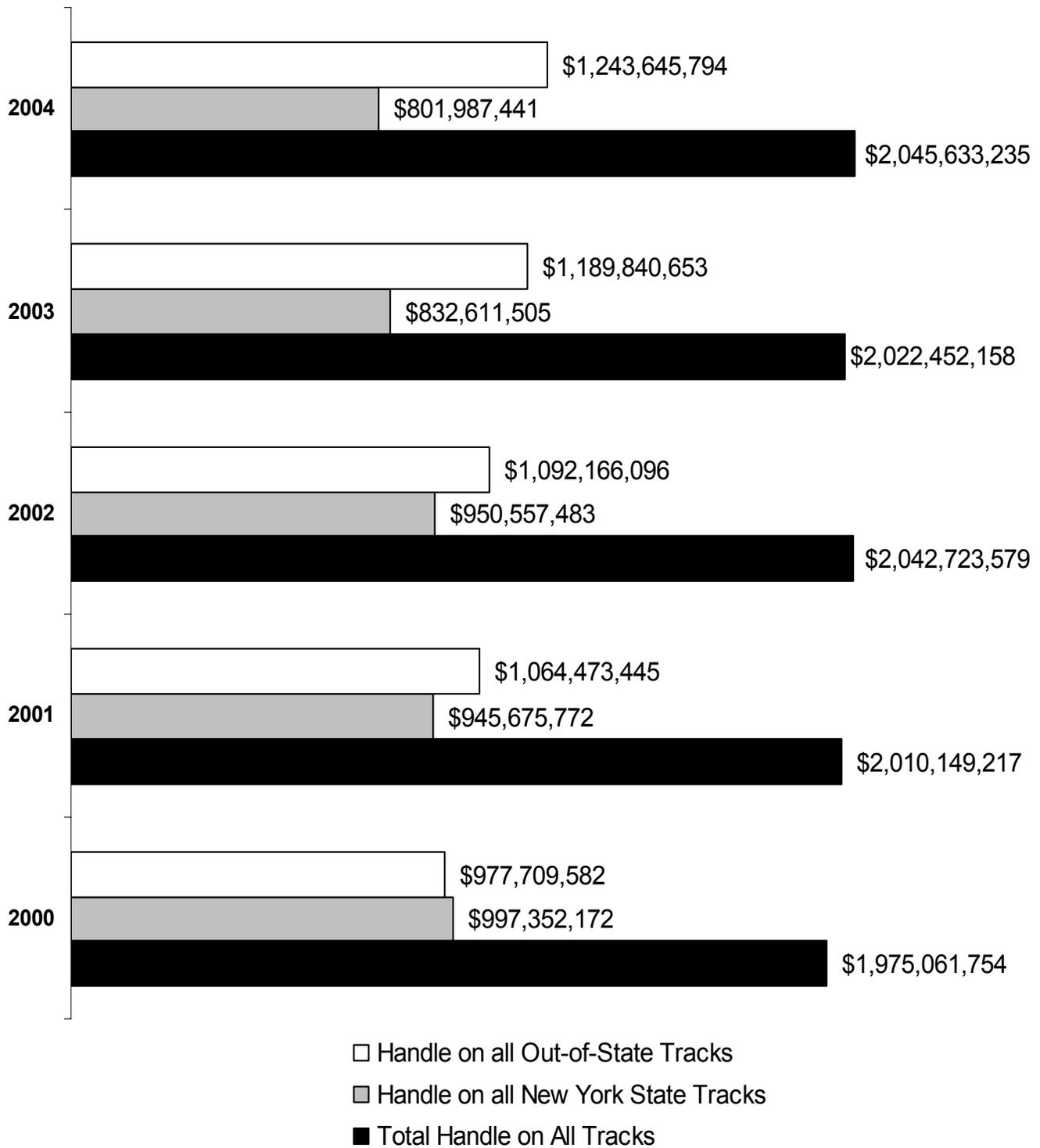


- Handle at NYS Racetracks (NY and out-of state tracks)
- Off-Track Betting Handle (NY and out-of-state tracks)
- Handle in New York State

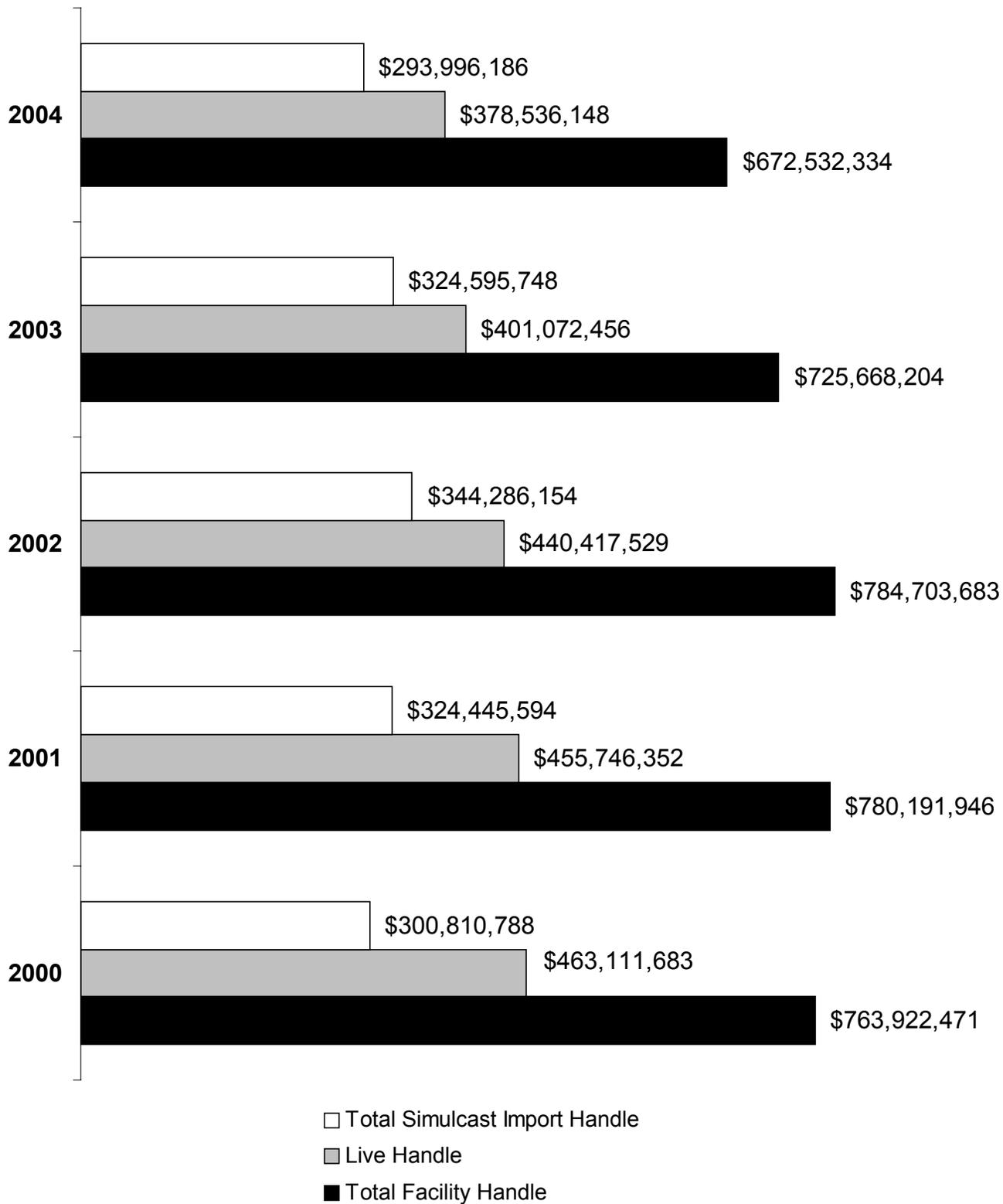
## Total Pari-Mutuel Handle- New York State vs. Out-of State



## Off Track Betting Handle- New York State vs. Out-of-State

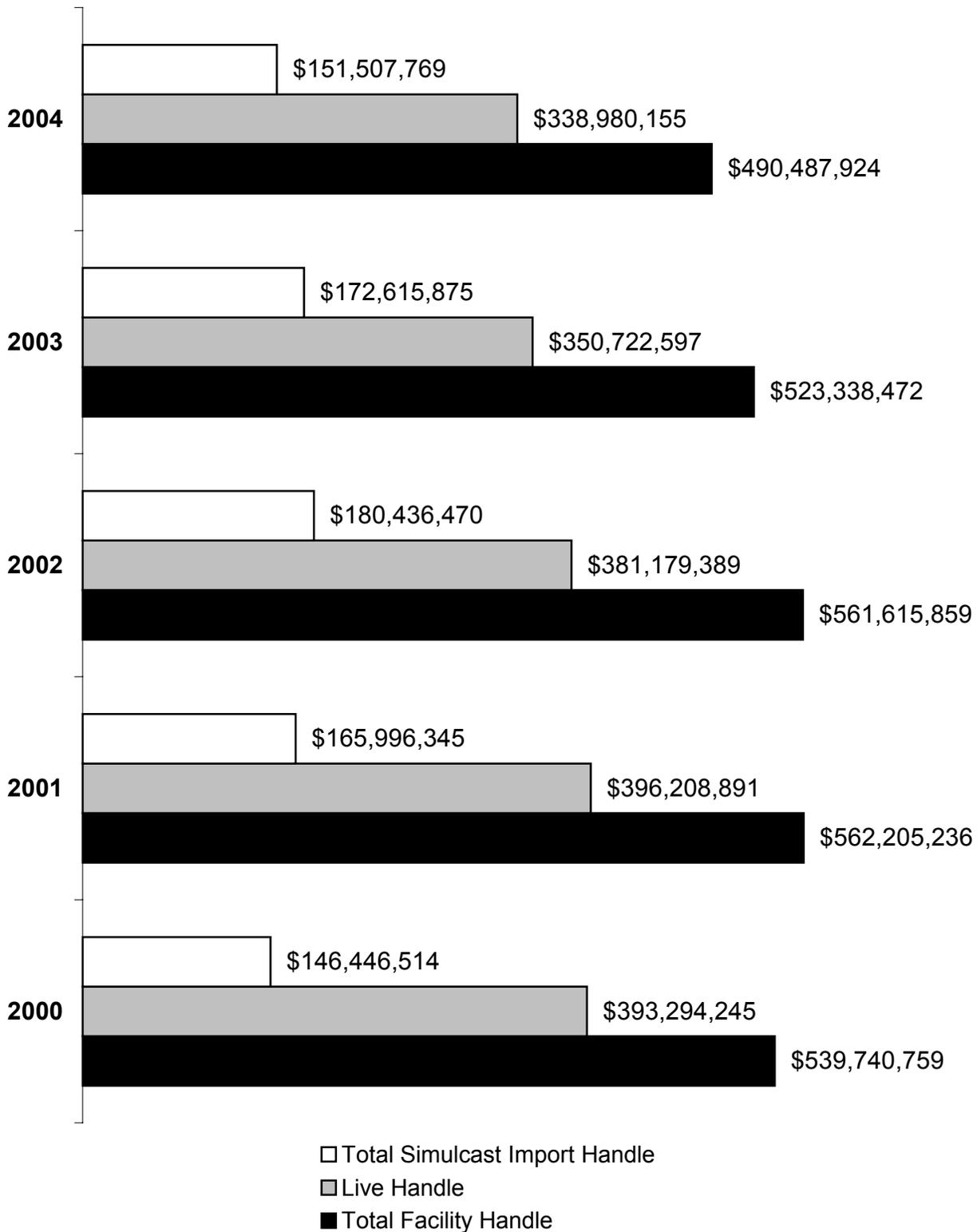


## Pari-Mutuel Handle-New York Thoroughbred and Harness Tracks



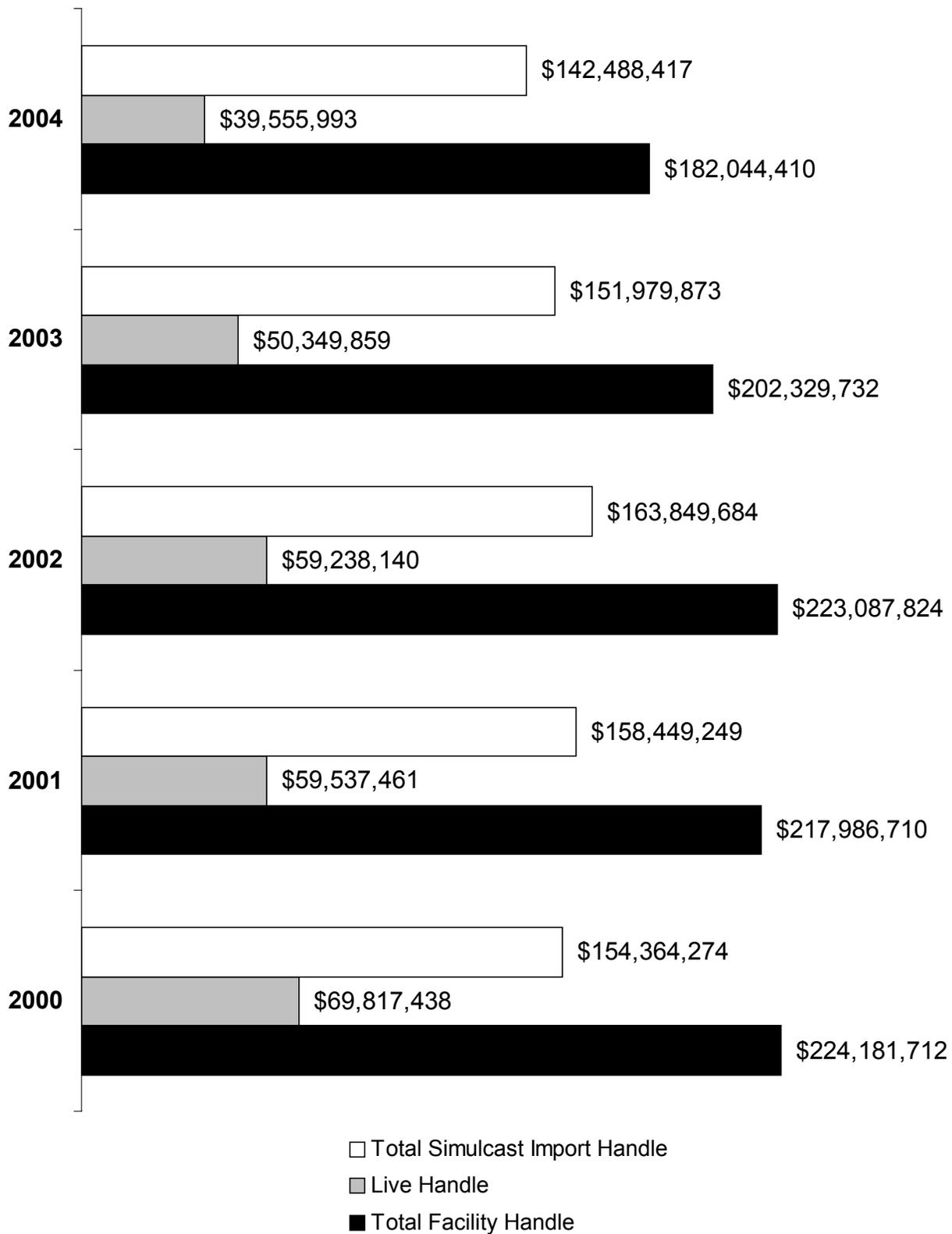
## *Pari-Mutuel Handle - New York Thoroughbred Tracks*

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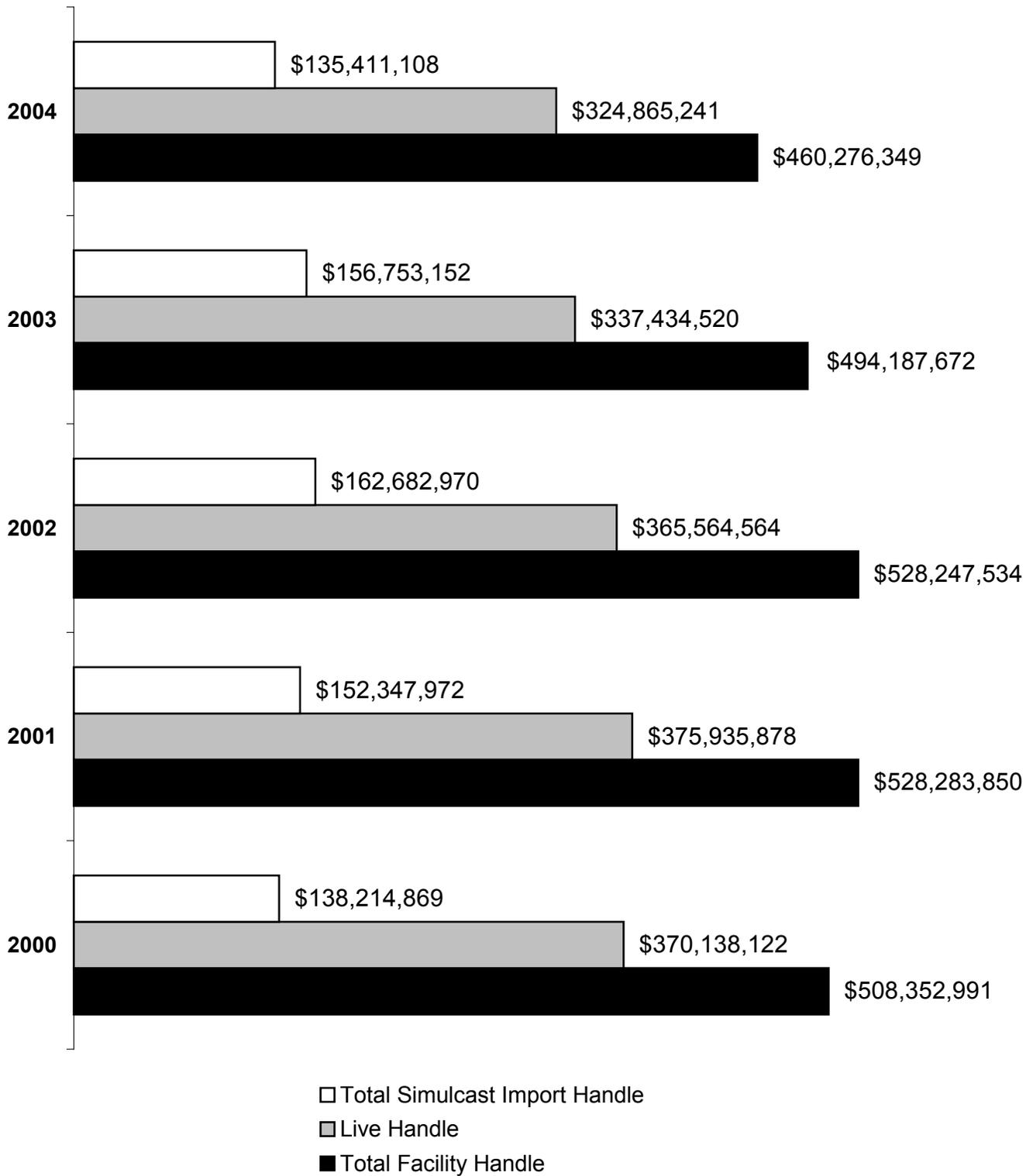


## *Pari-Mutuel Handle - New York Harness Tracks*

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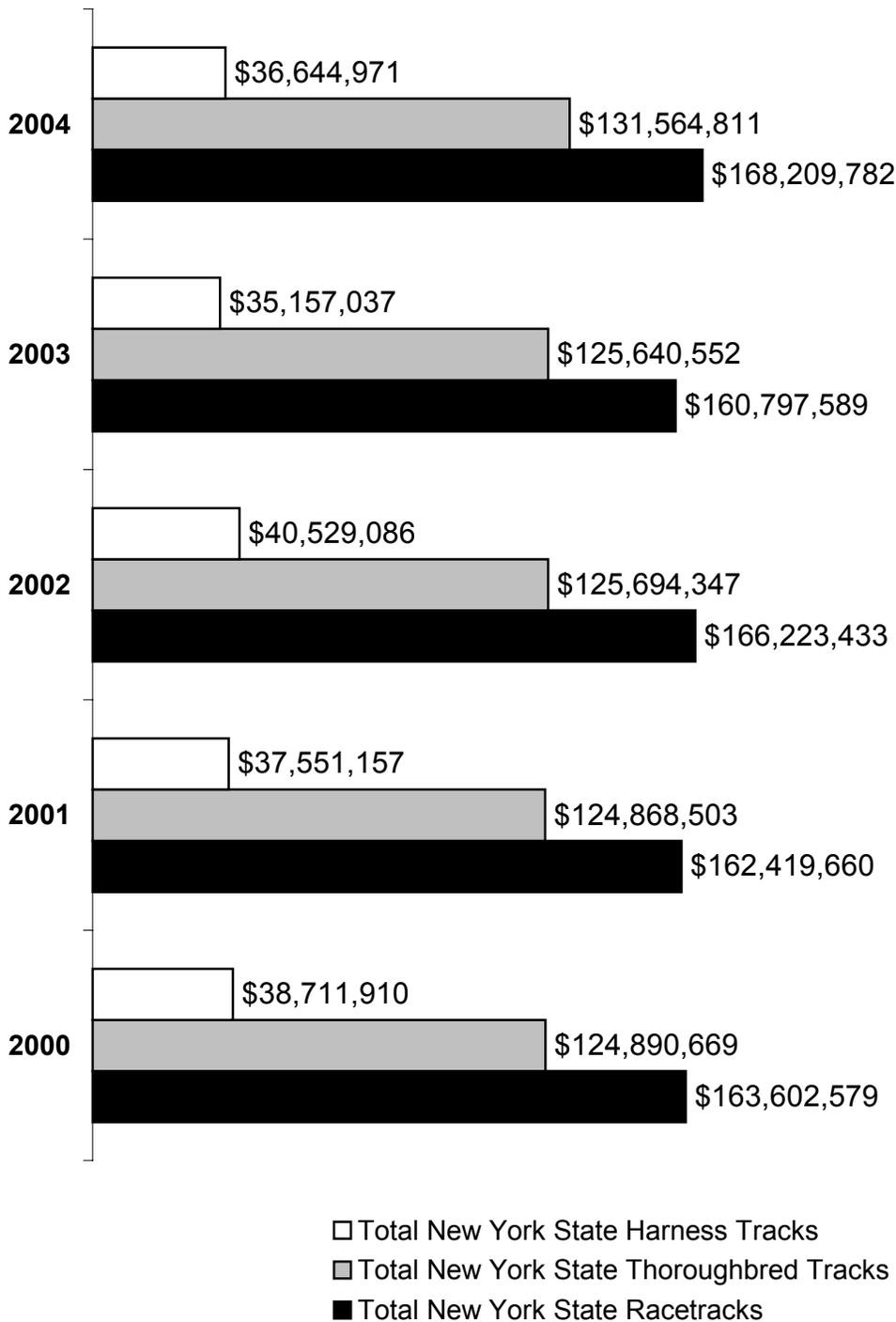


## Pari-Mutuel Handle at NYRA - Aqueduct, Belmont, Saratoga



## Gross Purses Paid at New York State Racetracks

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*\*\*Reflects actual purses paid.*

## Gross Purses - New York State vs. Nationwide

### Purses paid at Thoroughbred Tracks Nationwide

State	Gross Purses	Number of Races	Average Purse Per Race	Starters	Starts	Average Starts Per Field	Average Starts Per Runner
California	\$169,881,579	5,128	\$33,128	8,064	38,797	7.6	4.8
<b>New York</b>	<b>\$137,029,850</b>	<b>3,745</b>	<b>\$36,590</b>	<b>6,920</b>	<b>30,946</b>	<b>8.3</b>	<b>4.5</b>
West Virginia	\$89,632,160	4,638	\$19,326	10,265	42,609	9.2	4.2
Kentucky	\$87,057,315	2,649	\$32,864	7,125	23,150	8.7	3.2
Florida	\$82,943,298	3,766	\$22,024	8,225	32,455	8.6	3.9
Louisiana	\$72,843,955	3,833	\$19,004	7,437	33,486	8.7	4.5
Illinois	\$70,580,292	2,929	\$24,097	4,676	23,558	8	5
Pennsylvania	\$47,629,851	3,825	\$12,452	6,683	31,335	8.2	4.7
New Jersey	\$42,753,504	1,194	\$35,807	3,251	9,451	7.9	2.9
Texas	\$42,378,500	1,885	\$22,482	4,489	17,068	9.1	3.8
Maryland	\$38,665,500	1,830	\$21,129	4,243	13,908	7.6	3.3
Delaware	\$34,014,287	1,202	\$28,298	3,327	8,891	7.4	2.7
New Mexico	\$22,662,432	1,450	\$15,629	2,766	12,672	8.7	4.6
Massachusetts	\$13,601,400	1,180	\$11,527	1,591	9,356	7.9	5.9
Indiana	\$12,298,600	1,076	\$11,430	2,788	9,217	8.6	3.3

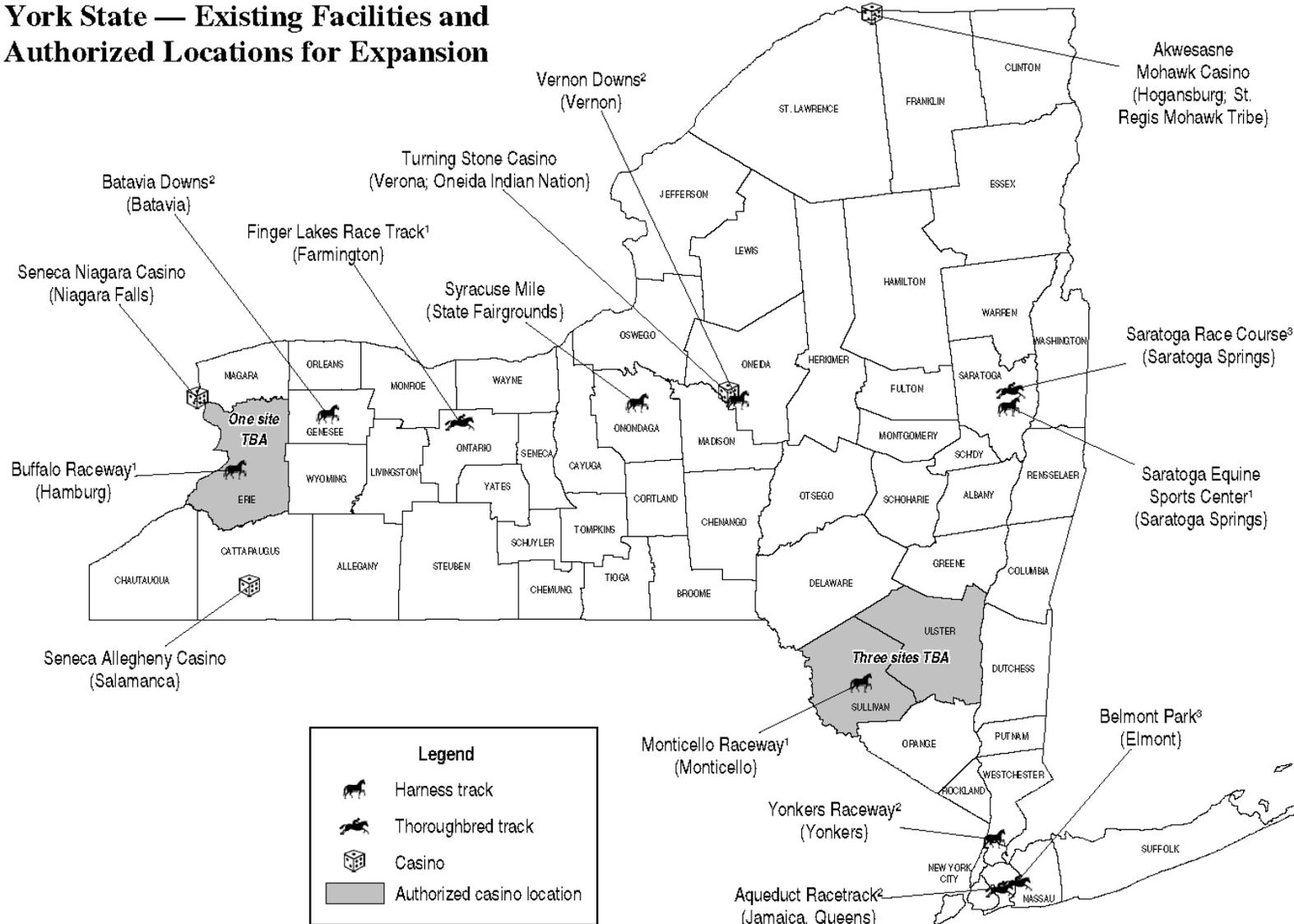
*\*Data provided by the Jockey Club. Purses include monies not won and returned to state breeder or other funds, but do not include retroactive payments.*

### Purses paid at Harness Tracks Nationwide

State	Gross Purses	Number of Races	Average Purse Per Race
New Jersey	\$65,302,498	4,270	\$15,293
Illinois	\$40,203,816	4,370	\$9,200
Delaware	\$38,764,979	3,580	\$10,828
<b>New York</b>	<b>\$37,203,710</b>	<b>8,270</b>	<b>\$4,499</b>
Ohio	\$26,661,870	6,573	\$4,056
Pennsylvania	\$23,881,073	4,239	\$5,634
Michigan	\$15,391,896	4,350	\$3,538
Indiana	\$13,926,594	1,790	\$7,780
Kentucky	\$10,946,126	942	\$11,620
California	\$9,423,528	2,091	\$4,507
Florida	\$9,145,297	1,945	\$4,702
Maryland	\$7,078,748	1,804	\$3,924
New Hampshire	\$3,775,098	698	\$5,408
Massachusetts	\$3,771,346	1,130	\$3,337
Virginia	\$2,077,547	374	\$5,555

*\*Data provided by the USTA*

# Gambling Establishments in New York State — Existing Facilities and Authorized Locations for Expansion



<sup>1</sup> Video lottery terminals (VLTs) in place.

<sup>2</sup> VLTs authorized but not installed.

<sup>3</sup> VLTs expressly prohibited.

## Thoroughbred Tracks

<b>Aqueduct Racetrack</b> <b>New York Racing Association</b> 110-00 Rockaway Boulevard Jamaica, New York 11417 Phone: (718) 641-4700 Website: <a href="http://www.nyra.com/Aqueduct">www.nyra.com/Aqueduct</a>		<b>Race Dates</b>	<b>Attendance</b>
	2004	123	461,305
	2003	122	554,058
	2002	133	678,707
	2001	134	638,303
	2000	134	681,263
	<b>Total Facility Handle</b>	<b>Live Handle</b>	
	\$ 173,284,748	\$ 95,514,272	\$ 77,770,476
2003	\$ 194,828,473	\$ 101,956,483	\$ 92,871,990
2002	\$ 230,276,443	\$ 124,884,338	\$ 105,392,105
2001	\$ 221,054,170	\$ 123,405,133	\$ 97,649,037
2000	\$ 225,819,603	\$ 128,885,414	\$ 96,934,189

<b>Belmont Park</b> <b>New York Racing Association</b> 2150 Hempstead Turnpike Elmont, New York 11003 Phone: (516) 488-6000 Website: <a href="http://www.nyra.com/Belmont">www.nyra.com/Belmont</a>		<b>Race Dates</b>	<b>Attendance</b>
	2004	93	670,417
	2003	93	703,456
	2002	88	667,235
	2001	87	684,961
	2000	88	685,035
	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>
2004	\$ 152,553,258	\$ 113,576,195	\$ 38,977,063
2003	\$ 164,468,817	\$ 118,069,796	\$ 46,399,021
2002	\$ 163,846,419	\$ 125,279,727	\$ 38,566,692
2001	\$ 173,650,448	\$ 135,971,744	\$ 37,678,704
2000	\$ 162,215,066	\$ 124,896,081	\$ 37,318,985

<b>Saratoga Race Course</b> <b>New York Racing Association</b> Union Avenue Saratoga Springs, NY 12866 Phone: (518) 584-6200 Website: <a href="http://www.nyra.com/Saratoga">www.nyra.com/Saratoga</a>		<b>Race Dates</b>	<b>Attendance</b>
	2004	36	1,040,668
	2003	36	1,049,309
	2002	36	999,388
	2001	36	1,011,669
	2000	36	978,296
	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>
2004	\$ 134,438,443	\$ 115,774,774	\$ 18,663,569
2003	\$ 134,890,382	\$ 117,408,241	\$ 18,724,173
2002	\$ 134,124,672	\$ 115,400,499	\$ 18,724,173
2001	\$ 133,579,232	\$ 116,559,001	\$ 17,020,231
2000	\$ 120,318,322	\$ 116,356,627	\$ 3,961,695

## Thoroughbred Tracks

<b>Finger Lakes Gaming &amp; Racetrack</b>		<b>Race Dates</b>	<b>Attendance</b>	
Delaware-North Incorporated PO Box 25250 Farmington, New York 14425 Phone: (716) 924-3232 Website: <a href="http://www.fingerlakesracetrack.com">www.fingerlakesracetrack.com</a>		2004	157	236,322
		2003	154	190,353
		2002	161	197,182
		2001	165	207,681
		2000	167	222,590
	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>	
2004	\$ 30,211,575	\$ 14,114,914	\$ 16,096,661	
2003	\$ 29,150,800	\$ 13,288,077	\$ 15,862,723	
2002	\$ 33,368,325	\$ 15,614,825	\$ 17,753,500	
2001	\$ 33,921,386	\$ 20,273,013	\$ 13,648,373	
2000	\$ 31,387,768	\$ 23,156,123	\$ 8,231,645	

## Harness Tracks

<b>Batavia Downs</b>		<b>Race Dates</b>	<b>Attendance</b>	
Western Off-Track Betting Corporation 8315 Park Road Batavia, New York 14020 Phone: (716) 343-3750 Website: <a href="http://www.batavia-downs.com">www.batavia-downs.com</a>		2004	2	1,837
		2003	68	70,197
		2002	72	104,151
		2001	Simulcast only	N/A
		2000	N/A	N/A
	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>	
2004	\$ 4,558,187	\$ 113,980	\$ 4,444,207	
2003	\$ 10,291,457	\$ 3,420,176	\$ 6,871,281	
2002	\$ 10,696,674	\$ 3,531,175	\$ 7,165,499	
2001	\$ 577,344	\$ 0	\$ 577,344	
2000	N/A	N/A	N/A	

<b>Fairgrounds Gaming &amp; Raceway</b>		<b>Race Dates</b>	<b>Attendance</b>	
Buffalo Raceway PO Box 38 Hamburg, New York 14075 Phone: (716) 649-1280 Website: <a href="http://www.buffaloraceway.com">www.buffaloraceway.com</a>		2004	87	57,907
		2003	66	41,832
		2002	84	54,185
		2001	127	87,022
		2000	143	104,934
	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>	
2004	\$ 13,081,519	\$ 3,666,794	\$ 9,414,725	
2003	\$ 12,920,173	\$ 2,792,284	\$ 10,127,889	
2002	\$ 16,433,612	\$ 3,881,305	\$ 12,552,307	
2001	\$ 19,422,863	\$ 6,525,727	\$ 12,897,136	
2000	\$ 22,403,168	\$ 8,039,808	\$ 14,363,360	

## Harness Tracks

<b>Mighty M</b> Monticello Raceway Monticello, New York 12701 Phone: (845) 794-4100 Website: <a href="http://www.monticelloraceway.com">www.monticelloraceway.com</a>		<b>Race Dates</b>	<b>Attendance</b>
	2004**	230	N/A
	2003	204	54,267
	2002	221	62,941
	2001	209	60,134
	2000	213	64,429
	<i>**Began free admission and stopped tracking attendance.</i>		
	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>
2004	\$ 14,872,537	\$ 6,270,555	\$ 8,601,982
2003	\$ 16,052,175	\$ 7,224,785	\$ 8,827,390
2002	\$ 19,575,363	\$ 9,352,988	\$ 10,222,375
2001	\$ 18,933,894	\$ 9,671,758	\$ 9,262,136
2000	\$ 21,124,621	\$ 10,411,505	\$ 10,713,116

<b>Saratoga Gaming &amp; Raceway</b> Saratoga Harness Racing, Inc. PO Box 356 Saratoga Springs, New York 12866 Phone: (518) 584-2110 Website: <a href="http://www.saratogaraceway.com">www.saratogaraceway.com</a>		<b>Race Dates</b>	<b>Attendance</b>
	2004**	165	N/A
	2003**	129	N/A
	2002**	122	N/A
	2001	134	95,623
	2000	143	95,159
	<i>**Began free admission and stopped tracking attendance.</i>		
	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>
2004	\$ 39,092,822	\$ 8,826,475	\$ 30,266,347
2003	\$ 31,644,865	\$ 6,145,003	\$ 25,499,862
2002	\$ 30,487,685	\$ 6,186,778	\$ 24,300,907
2001	\$ 29,033,039	\$ 6,157,071	\$ 22,875,968
2000	\$ 27,943,724	\$ 6,492,682	\$ 21,451,042

<b>Syracuse Mile</b> New York State Fairgrounds Syracuse, New York 13209 Phone: (315) 487-7711		<b>Race Dates</b>	<b>Attendance</b>
	2004	3	4,154
	2003	N/A	N/A
	2002	5	6,615
	2001	5	6,414
	2000	5	7,782
	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>
2004	\$ 495,449	\$ 495,449	N/A
2003**	N/A	N/A	N/A
2002	\$ 861,829	\$ 861,829	N/A
2001	\$ 935,807	\$ 935,807	N/A
2000	\$ 961,041	\$ 961,041	N/A
<i>** No pari-mutuel handle at 2003 race meet.</i>			

## *Harness Tracks*

<b>Vernon Downs</b> Mid-State Raceway, Inc. PO Box 860 Vernon, New York 13476-0860 Phone: (315) 829-2201 Website: <a href="http://www.vernondowns.com">www.vernondowns.com</a>	<b>Year</b>	<b>Race Dates</b>	<b>Attendance</b>
	2004	44	58,941
	2003	93	108,859
	2002	84	85,362
	2001	84	71,378
	2000	93	95,407
<b>Year</b>	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>
2004	\$ 10,421,499	\$ 2,138,229	\$ 8,283,270
2003	\$ 19,289,465	\$ 4,711,200	\$ 14,578,265
2002	\$ 20,773,338	\$ 4,682,919	\$ 16,090,419
2001	\$ 21,767,222	\$ 4,331,615	\$ 17,435,607
2000	\$ 18,098,808	\$ 4,650,566	\$ 13,448,242

<b>Yonkers Raceway</b> Yonkers Racing Corporation Yonkers, New York 10704 Phone: (914) 968-4200 Website: <a href="http://www.yonkersraceway.com">www.yonkersraceway.com</a>	<b>Year</b>	<b>Race Dates</b>	<b>Attendance</b>
	2004	207	115,763
	2003	235	142,929
	2002	257	157,385
	2001	252	167,277
	2000	256	187,418
<b>Year</b>	<b>Total Facility Handle</b>	<b>Live Handle</b>	<b>Simulcast Import Handle</b>
2004	\$ 99,522,397	\$ 18,044,511	\$ 81,477,886
2003	\$ 112,131,597	\$ 26,056,411	\$ 86,075,186
2002	\$ 124,259,323	\$ 30,741,146	\$ 93,518,177
2001	\$ 127,316,541	\$ 31,915,483	\$ 95,401,058
2000	\$ 133,650,350	\$ 39,261,836	\$ 94,388,514

## Off-Track Betting Corporations

### Capital District Regional Off-Track Betting Corporation

510 Smith Street  
Schenectady, New York 12305  
Phone: (518) 370-5151  
Website: [www.capitalotb.com](http://www.capitalotb.com)

Capital OTB is comprised of 21 counties and the City of Schenectady of which 17 participate in off-track betting. In 2004, Capital OTB operated 44 simulcast branches, 30 EZ Bet locations and one teletheater. The major cities located within the region are Albany, Schenectady, Troy and Utica.

	Total Handle	In-State Handle	Out-of-State Handle
2004	\$ 212,235,503	\$ 94,983,845	\$ 113,270,266
2003	\$ 220,865,269	\$ 98,819,072	\$ 122,046,197
2002	\$ 225,381,005	\$ 110,142,553	\$ 115,238,452
2001	\$ 229,435,034	\$ 111,174,587	\$ 118,260,447
2000	\$ 222,472,891	\$ 117,124,373	\$ 105,348,518

### Catskill Regional Off-Track Betting Corporation

Park Place  
Pomona, New York 10970  
Phone: (845) 362-0400  
Website: [www.catskillotb.com](http://www.catskillotb.com)

Catskill OTB is comprised of 13 counties, of which 10 participate as members of this corporation. In 2004, Catskill OTB operated 23 simulcast branches, one teletheater, one non-simulcast branch and two remote locations. Some of the larger cities served by Catskill OTB are Binghamton, Elmira, Kingston, Middletown, Newburgh and Suffern.

	Total Handle	Handle on NY Tracks	Out-of-State Handle
2004	\$ 143,119,690	\$ 50,587,999	\$ 89,530,234
2003	\$ 143,265,650	\$ 55,108,897	\$ 88,156,753
2002	\$ 144,619,357	\$ 64,610,154	\$ 80,009,203
2001	\$ 144,736,947	\$ 64,662,251	\$ 80,074,696
2000	\$ 139,033,233	\$ 67,710,800	\$ 71,322,433

### Nassau Regional Off-Track Betting Corporation

220 Fulton Avenue  
Hempstead, New York 11550  
Phone: (516) 572-2800  
Website: [www.nassauotb.com](http://www.nassauotb.com)

Nassau OTB is comprised of only Nassau County. In 2004, Nassau OTB operated 13 simulcast branches, one teletheater, one restaurant facility with wagering and one non-simulcast branch.

	Total Handle	In-State Handle	Out-of-State Handle
2004	\$ 299,355,534	\$ 126,630,364	\$ 169,115,866
2003	\$ 261,867,738	\$ 115,982,374	\$ 145,885,364
2002	\$ 265,302,213	\$ 132,455,122	\$ 132,847,091
2001	\$ 258,206,071	\$ 129,265,079	\$ 128,940,992
2000	\$ 252,035,368	\$ 133,893,580	\$ 118,141,788

## Off-Track Betting Corporations

### New York City Regional Off-Track Betting Corporation

1501 Broadway  
New York, New York 10036  
Phone: (212) 221-5200  
Website: [www.nycotb.com](http://www.nycotb.com)

New York City OTB is comprised of 5 counties: New York, Kings, Richmond, Bronx, and Queens. In 2004, New York City OTB operated 65 simulcast branches and 3 teletheaters. New York City OTB operates 10 “mini-branches” which are located within existing, privately owned restaurants.

	Total Handle	In-State Handle	Out-of-State Handle
2004	\$ 1,036,088,072	\$ 384,350,271	\$ 640,228,176
2003	\$ 1,025,066,708	\$ 406,048,851	\$ 619,017,857
2002	\$ 1,030,285,839	\$ 469,048,851	\$ 561,236,988
2001	\$ 1,014,631,269	\$ 469,462,951	\$ 545,168,318
2000	\$ 1,013,177,935	\$ 500,231,463	\$ 512,946,472

### Suffolk Regional Off-Track Betting Corporation

5 Davids Drive  
Hauppauge, New York 11787  
Phone: (631) 853-1000  
Website: [www.suffolkotb.com](http://www.suffolkotb.com)

Suffolk OTB is located entirely in Suffolk County. In 2004, Suffolk OTB operated 13 simulcast branches and one teletheater.

	Total Handle	In-State Handle	Out-of-State Handle
2004	\$ 205,292,864	\$ 86,334,035	\$ 115,913,065
2003	\$ 211,476,632	\$ 93,889,921	\$ 117,586,711
2002	\$ 205,247,267	\$ 100,682,990	\$ 104,564,277
2001	\$ 186,820,326	\$ 93,487,290	\$ 93,333,036
2000	\$ 174,302,864	\$ 93,586,552	\$ 80,716,312

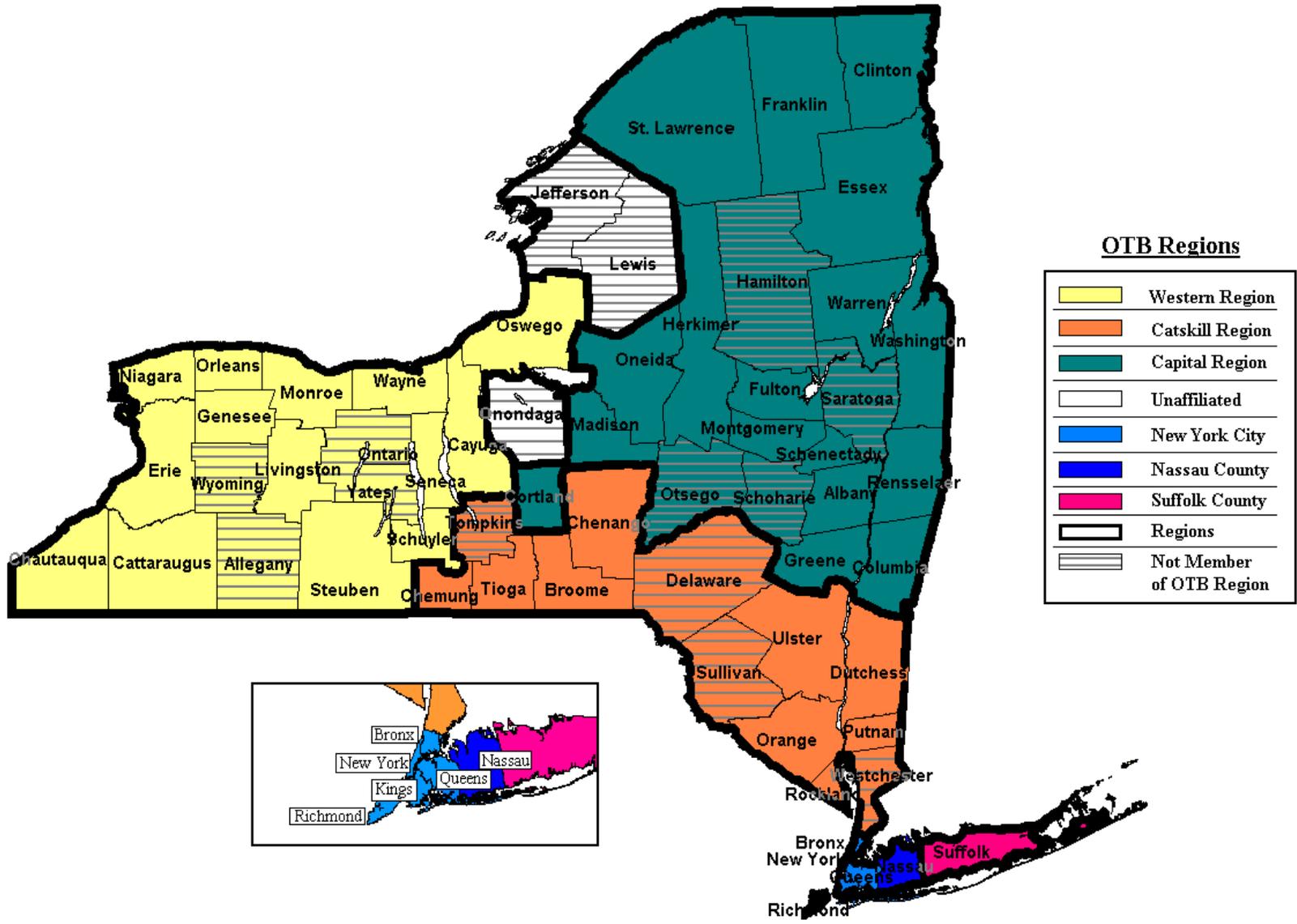
### Western Regional Off-Track Betting Corporation

700 Ellicott Street  
Batavia, New York 14020  
Phone: (800) 724-2000  
Website: [www.westernotb.com](http://www.westernotb.com)

Western OTB is comprised of 18 counties, 15 of which participate in off-track betting. The two major cities served by Western OTB are Buffalo and Rochester. In 2004, Western OTB operated 37 simulcast branches, one teletheater and one remote branch.

	Total Handle	In-State Handle	Out-of-State Handle
2004	\$ 149,541,572	\$ 59,100,927	\$ 87,665,721
2003	\$ 159,910,161	\$ 62,762,390	\$ 97,147,771
2002	\$ 171,887,898	\$ 73,617,813	\$ 98,270,085
2001	\$ 176,319,570	\$ 77,623,614	\$ 98,695,956
2000	\$ 174,039,463	\$ 84,805,404	\$ 89,234,059

# Off-Track Betting Corporations- Regional Map



# *Equine Drug Testing Program*

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The Equine Drug Testing Program (EDTP) for all thoroughbred and harness racing in New York State is performed by the New York State College of Veterinary Medicine at Cornell University in Ithaca, New York under contract with the New York State Racing and Wagering Board. The Equine Drug Testing Program at Cornell University continues to be one of the leading equine drug-testing programs in the world.

Equine drug testing is mandated by Chapter 47-A of the Consolidated Laws of the State of New York, The Racing, Pari-Mutuel Wagering and Breeding Law in Section 902.

**Section 902.** Equine drug testing and expenses. 1. In order to assure the public's confidence and continue the high degree of integrity in racing at the pari-mutuel betting tracks, equine drug testing at race meetings shall be conducted by a land grant university within this state with a regents approved veterinary college facility. The state racing and wagering board shall promulgate any rules and regulations necessary to implement the provisions of this section, including administrative penalties of loss of purse money, fines, or denial, suspension, or revocation of a license for racing drugged horses. 2. Notwithstanding any inconsistent provision of law, on and after April first, nineteen hundred eighty-six, all costs and expenses of the state racing and wagering board for equine drug testing and research shall be paid from an appropriation from the state treasury, on the certification of the chairman of the state racing and wagering board, upon the audit and warrant of the comptroller and pursuant to a plan developed by the state racing and wagering board as approved by the director of the budget.

In the year 2004, **62,577** samples of both urine and blood were collected and sent for testing at the Equine Drug Testing Program at Cornell University. The director of the EDTP is Dr. George A. Maylin who began his career as a veterinarian in 1965. Dr. Maylin has held several distinguished positions throughout his career including Director of Cornell Research and Reference Center, Director of Equine Drug Testing and Research Program and Division Chief of Toxicology Diagnostic Laboratory at New York State college of veterinary medicine, among others. Dr. Maylin is also responsible for the publication of numerous documents, studies and reports in the fields of pharmacology, toxicology, exercise physiology, chemistry and immunochemistry.

From the gathering of the original blood and urine samples that are collected in the presence of the owner, trainer or representative, throughout transport and subsequent testing, the chain of custody is rigidly maintained. This is necessary as blood and urine samples may be evidence in future litigation. All sample containers are identified and sealed against tampering upon collection. All samples are identified with unique numbers and the EDTP personnel do not know the identity of the horse involved.

Under Board procedures, when the EDTP detects and confirms the presence of a prohibited substance, the laboratory immediately informs the Board's Chief of Racing Operations and its Chief Counsel. Immediately thereafter, the Chief of Racing Operations informs the steward or presiding judge at the racetrack where the horse's sample originated, along with other appropriate Board personnel. Investigation into the matter is begun after the horse and its' trainer are identified by the steward or presiding judge. The sample identifying numbers are matched by the steward or presiding judge to his previously locked documentation of collected samples. After identification, investigation into the circumstances, including interviews with all involved parties begins.

# Equine Drug Testing Program

The trainer is afforded the option of having a "split" sample of the original tested at an approved laboratory of his/her choice at his/her expense. After investigation is completed and all other information is gathered and studied, the licensee if necessary, is assessed a penalty from the State steward or presiding judge.

Should the licensee not agree with the penalty given, there is an appeals process that affords the licensee a full hearing before a board-appointed hearing officer. Upon receipt of the hearing officer's completed report, the three-member racing board renders a decision.

A listing of the most commonly used medicines in the equine racing world is contained within the Board's rules. Also contained is the number of hours "out" (before race day) that these listed drugs may be administered. The only allowable medication on race day is furosemide and this is allowed only to be given to horses properly enrolled in a furosemide medication program as prescribed.

Post Race Positives by Track		
	2004	2003
Aqueduct:	9	18(1F)
Belmont Park:	5	4
Saratoga Race Course	6	1
Finger Lakes	3	3
Batavia Downs	-0-	4
Buffalo Raceway	7	3
Monticello Raceway	24	17
Saratoga Harness:	6	5
Vernon Downs	-0-	3
Yonkers Raceway	24	18
NYSRWB	22	
<b>TOTAL</b>	<b>84</b>	<b>76</b>

Summary Drug report:	
Drug	Positive Samples
acepromazine	
(2-(1-hydroxyethyl promazine sulfoxide)	3
(2-(1-hydroxyethyl promazine)	1
albuterpol	4
bumetanide	1
butorphanol	2
caffeine	3
(1,7 dimethylxanthine)	3
carboxycelecoxib	2
carprofen	1
clenbuterol	1
diclofenac	2
dihydroxydiphenhydramine	1
desmethyldiphenhydramine	1
hydroxydiphenhydramine	1
erythropoietin/darbepoitin	7
fluphenazine	16
furosemide	5
flunixin	15
hydroxyxyclobenzaprine	4
mepenzolate	2
mepivacaine	3
(3-hydroxymepivacaine)	6
methocarbamol	2
naproxen	1
phenylbutazone	2
propranolol	1
theobromine	3
theophylline	3
tripelennamine	4
hydroxytripelennamine	4
xylazine	1
xylazine hydroxy-metabolites	1

# Charitable Gaming

The statistics reported in this section are compiled from reports filed by municipal clerks. There are 1,103 municipalities required to report charitable gaming activities from which, 1,029 filed and 74 did not file.

## Local Law Option

Bingo and games of chance licenses can only be issued by the respective local municipality where a charitable organization is located. Before doing so, the municipality must adopt a local law or ordinance authorizing licensed games of chance or bingo within the geographic boundaries of the municipality.

If a local municipality wants to adopt a bingo or games of chance local law or ordinance, it must be approved by a majority of voters in a referendum. Such a referendum can be conducted during a general election, or at a special election set by the governing body of the municipality.

There is one exception to the referendum process described above. In the case of villages located within towns that already have a games of chance local law or ordinance, the village may agree to subject itself to the town's games of chance local law or ordinance through a permissive referendum. Under a permissive referendum, the village trustees adopt a resolution authorizing the town to issue games of chance licenses in the village. If no one objects to a village resolution within 30 days after passage, the resolution becomes final. However, village residents may request a referendum by presenting a petition with the number of voters' signatures comprising 20 percent of the registered voters. The fate of the resolution will then depend upon the approval or disapproval of the village electors.

## Registration and Identification

With a local law in place, certain non-profit organizations are eligible to apply for a games of chance and/or bingo registration and identification number (ID Number). This number is issued by the Board and signifies that an organization has met the statutory requirements to qualify as an authorized organization. Once an ID number is issued, the number remains with that organization as long as it conducts charitable gaming activities

at least once a year.. ID numbers are free of charge and allow the organizations to obtain the respective license from the municipal clerk so they may raise money from bell jars (pull tabs), raffles, Las Vegas nights or bingo.

In 2004, the Board issued **306** games of chance ID numbers and **38** bingo ID numbers. To date the Board has issued 8,166 games of chance and 8,730 bingo ID numbers, although many of these organizations may no longer actively conduct charitable gaming.

## Licensing

All licenses are issued by the clerks at the local level. Depending upon the situation it could be the town clerk, city clerk or village clerk, depending upon the local law in that municipality. County clerks do not issue charitable gaming licenses.

### **License Fees:**

**Bingo:** \$18.75 per occasion

**Las Vegas night:** \$25.00 per occasion

**Bell jar tickets:** \$25.00 for calendar year

**Raffles:** No license fee is charged for raffles that profit less than \$30,000 in a calendar year. In rare instances when an organization will profit more than \$30,000 in a calendar year then a license fee of \$25.00 for the calendar year is charged.

In 2004, the municipal clerks reported issuing the following number of licenses:

<b>Licenses issued by municipal clerks</b>	
Bingo	1,207
Bell Jar	1,741
Las Vegas Night	584
Raffles	418
<b>Total</b>	<b>3,950</b>

All municipal clerks retain 40% of the license fee they collect and remit the remaining 60% to the State Comptroller.

# Charitable Gaming

The statistics reported in this section are compiled from reports filed by municipal clerks. There are 1,103 municipalities required to report charitable gaming activities from which, 1,029 filed and 74 did not file.

In 2004, the following license fees were reported as collected by the municipal clerks:

License Fees collected by municipal clerks	
Bingo	\$ 989,752
Bell Jar	\$ 43,525
Las Vegas Night	\$ 47,389
Raffles	\$ 1,320
<b>Total</b>	<b>\$1,081,986</b>

Organizations are required to remit an additional license fee to the clerk or the Board when submitting the appropriate financial reporting form.

In 2004, the following additional license fees were reported as collected by the municipal clerks and the Board:

Additional License Fees collected by municipal clerks or the Board	
Bingo (clerk)	\$ 584,655
Bell Jar (the Board)	\$ 2,242,592
Las Vegas Night (clerk)	\$ 39,721
Raffles (clerk)	\$ 17,799
<b>Total</b>	<b>\$ 2,932,175</b>

## Bell Jar Compliance and Enforcement

The Racing and Wagering Board is responsible for all licensing and enforcement activities related to the manufacture, distribution and sale of bell jar tickets to licensed authorized organizations in the State. A primary function of the Board is to curtail the trafficking of illegal bell jar tickets into the state and eliminate those illegal activities that siphon revenues away from their intended charitable purposes.

All bell jar tickets must be approved by the Board before they can be sold to charities in New York. In 2004, **8,539** bell jar tickets were approved for sale into New York State bringing the total number of approved tickets to 45,723 to date. The Board conducts statewide investigations jointly with the New York State Police, New York

State Liquor Authority, and the Attorney General's Office, as well as federal, state and local law enforcement agencies. In 2004, Board investigations led to the arrest and criminal convictions of 4 individuals

## Bell Jar Activity

### Calendar Year 2004 (see charts on page 27)

Number of Licensed Organizations	1,741
License Fees Remitted to Clerks	\$ 43,525
Number of Bell Jar Deals Sold	187,196
Gross Ticket Sales	<b>\$ 274,185,473</b>
Prizes Awarded	\$ 199,885,831
5% Additional Fee	\$ 2,242,592
Net Profit to Organizations	<b>\$ 47,528,637</b>

## Compliance

Compliance with state law and rules and regulations is a major focus of the Board's regulatory function. The Board conducts routine and random inspections of charitable gaming facilities. When rule violations are found, a compliance conference is held as a means to resolve violations and other problems that may hinder the organizations efforts to properly conduct gaming. The compliance conference is a meeting held between members of the Board's staff and representatives of the licensed charitable organization. This is an informal meeting during which both parties seek to reach a mutually agreed upon arrangement so the organization can continue its' charitable gaming activities while ensuring that the operations are in compliance.

In 2004, Board staff conducted **15** compliance conferences with representatives from various licensed charitable organizations. As a result, **\$46,228** was identified to be misreported funds and directed to be deposited back into the charitable gaming checking accounts. Likewise, **\$22,550** was identified as being owed in one-third donations to charity and **\$14,266** was paid to Board in 5% additional license fees based upon unreported bell jar ticket sales.

# Charitable Gaming

*The statistics reported in this section are compiled from reports filed by municipal clerks. There are 1,103 municipalities required to report charitable gaming activities from which, 1,029 filed and 74 did not file.*

## Raffles

All raffles conducted in New York State must be licensed by a municipal clerk. There is no license fee for raffles that result in net profits less than \$30,000 in a calendar year. There is a \$25.00 license fee for raffles that net a profit greater than \$30,000 in a calendar year.

In 2004, a total of **\$6,736,251** was wagered on raffles resulting in net profits of **\$2,615,180** for charitable organizations. (see chart on page 27)

## Casino-Type Games of Chance

Casino-type games of chance, otherwise called Las Vegas nights, include games like roulette, craps blackjack, money wheels, bang, and other games played at carnivals and festivals.

In 2004, a total of **\$1,387,262** was wagered at 29,822 licensed Las Vegas Night occasions. This activity raised **\$817,598** for charitable purposes. (see chart on page 27)

## Bingo

In 2004, **5.56 million** bingo players attended **59,250** licensed bingo occasions, wagered **\$115,060,518** and generated net profits of **\$15,855,041** for charity. (see chart on page 27)

## Games of Chance and Bingo Manufacturers and Suppliers

The Board has many responsibilities with regards to licensing games of chance and bingo manufacturers and suppliers. In 2004, the Board issued 75 licenses for games of chance

manufacturers and suppliers and 57 licenses to bingo manufacturers and suppliers.

Total sales by games of chance manufacturers and suppliers = **\$11,787,699**

Total sales by bingo manufacturers and suppliers = **\$9,810,579**

Total fees collected by the Board from licensed bingo and games of chance manufacturers and suppliers = **\$260,078**

## Public Outreach

Public Outreach is an integral part of the Board's operations as it works to promote compliance with the Rules and Regulations. In 2004, the Board continued its efforts to educate charitable groups on how to manage their gaming by attending numerous statewide conferences held by groups including the American Legion, VFW, Fraternal Order of Eagles and the Loyal Order of Moose and hosting several countywide seminars.

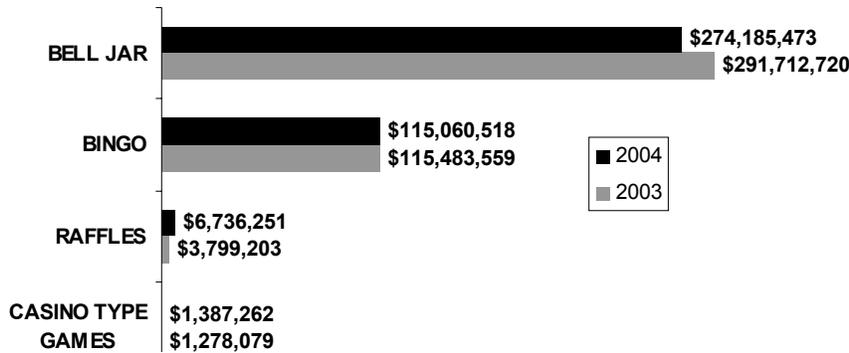
The Board also held educational seminars for municipal clerks at area town clerk association meetings, the New York State Town Clerk's Association Conference (NYSTCA), the New York Conference of Mayors (NYCOM) and several Local Government Conferences.

The Board maintains a website at [www.racing.state.ny.us](http://www.racing.state.ny.us) which contains a significant amount of information on charitable gaming. The website provides license applications, financial reporting forms, frequently asked questions, state law, rules and regulations, databases of licensed manufacturers and suppliers and a database of approved bell jar tickets

# Charitable Gaming

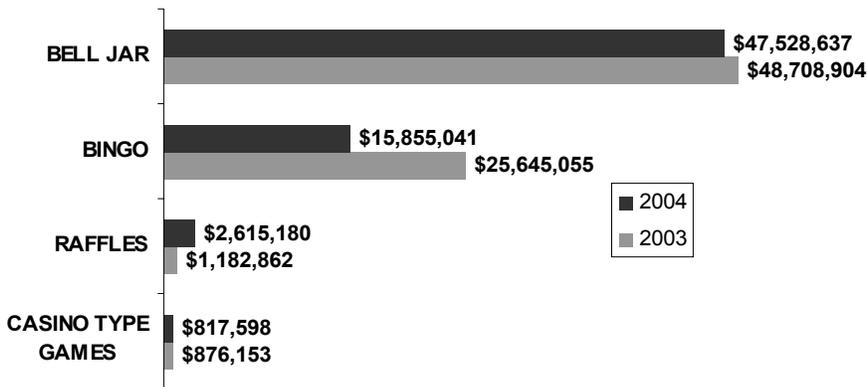
The statistics reported in this section are compiled from reports filed by municipal clerks. There are 1,103 municipalities required to report charitable gaming activities from which, 1,029 filed and 74 did not file.

## Charitable Gaming Handle

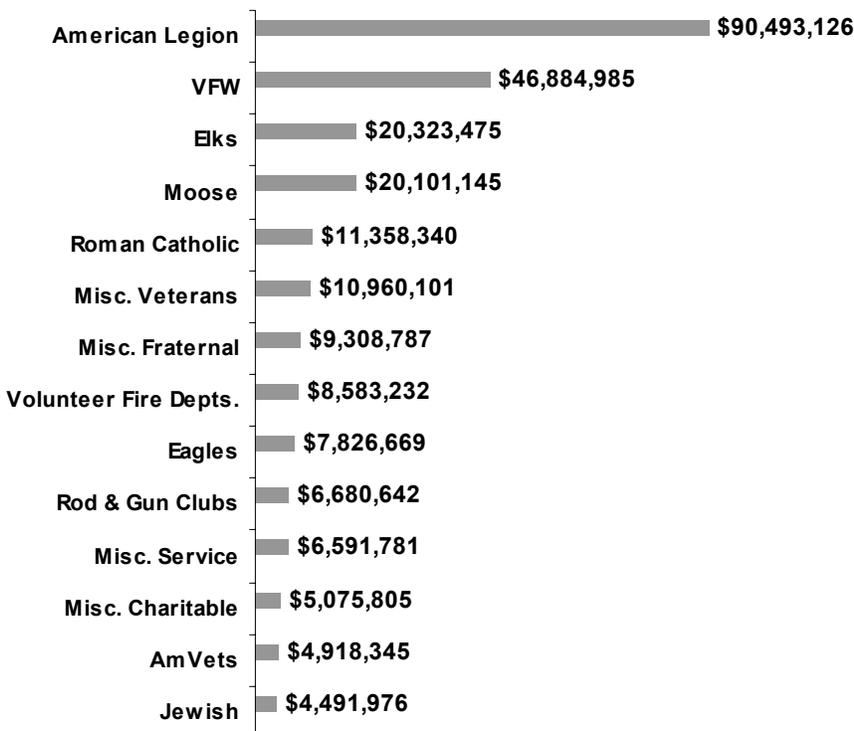


Total charitable gaming handle in 2004 was **\$397,369,504** which represents a **3.6%** (\$14,904,057) decline from the 2003 total of \$412,273,561.

## Profit to Charities



Charities profited **\$66,816,456** in 2004 from charitable gaming which was a **12.5%** (\$9,596,518) decline from the 2003 total of \$76,412,974



Bell jar continues to be the most popular charitable fundraising game of chance. The graph to the left represents the top fourteen organizations and the respective handle generated from the sale of bell jar tickets..

# Charitable Gaming

## Bell Jar Handle and Number of Bell Jar Deals Sold by County

County	2004		2003	
	Handle	Number of Deals	Handle	Number of Deals
Chautauqua	\$29,891,261	20,221	\$32,876,361	23,217
Monroe	\$19,950,845	17,746	\$23,310,883	32,256
Oneida	\$17,685,983	7,516	\$18,746,428	7,890
Erie	\$17,012,921	8,442	\$19,406,008	15,398
Cattaraugus	\$13,302,941	10,200	\$14,260,789	10,923
Steuben	\$10,516,890	7,268	\$11,185,673	6,396
Jefferson	\$10,329,314	4,512	\$11,500,356	5,234
St. Lawrence	\$9,942,651	4,543	\$11,400,199	5,194
Albany	\$8,245,630	3,372	\$8,983,370	4,059
Allegany	\$8,127,051	3,480	\$6,800,519	3,291
Wayne	\$7,804,540	3,559	\$8,056,429	3,749
Onondaga	\$7,692,950	5,226	\$8,423,200	11,710
Rensselaer	\$5,978,443	2,919	\$6,054,995	3,118
Suffolk	\$5,477,492	18,723	\$5,839,246	3,151
Niagara	\$5,304,486	2,869	\$6,145,222	8,069
Orleans	\$5,206,683	2,584	\$5,035,376	2,593
Saratoga	\$5,036,445	2,102	\$5,719,121	2,464
Herkimer	\$4,951,642	1,692	\$4,706,924	1,635
Broome	\$4,895,576	2,617	\$4,436,520	2,582
Ontario	\$4,681,230	2,854	\$5,567,251	3,491
Yates	\$3,832,255	2,114	\$3,519,289	1,852
Oswego	\$3,799,466	7,376	\$4,710,018	2,872
Dutchess	\$3,302,551	1,292	\$3,106,139	1,300
Clinton	\$3,226,967	1,450	\$3,993,661	1,815
Fulton	\$3,088,343	1,115	\$3,501,751	1,268
Seneca	\$2,968,412	1,460	\$3,207,346	1,660
Franklin	\$2,924,132	1,659	\$3,096,352	1,769
Schenectady	\$2,919,043	1,361	\$3,190,304	1,482
Warren	\$2,911,993	1,155	\$3,240,294	1,301
Lewis	\$2,869,463	1,591	\$3,213,363	1,747
Tompkins	\$2,836,006	1,147	\$3,276,392	1,267
Chemung	\$2,819,425	1,794	\$3,016,934	2,039
Cayuga	\$2,399,640	2,457	\$2,715,571	2,830
Genesee	\$2,297,958	5,327	\$2,426,307	1,351
Washington	\$2,166,188	1,029	\$2,390,993	1,150

(Continued on next page)

## Charitable Gaming

### Bell Jar Handle and Number of Bell Jar Deals Sold by County

County	2004		2003	
	Handle	Number of Deals	Handle	Number of Deals
Schuyler	\$2,118,606	847	\$1,641,045	621
Cortland	\$2,071,072	963	\$1,830,308	991
Wyoming	\$2,036,937	1,184	\$1,949,374	1,176
Orange	\$1,849,200	1,399	\$2,075,461	1,041
Westchester	\$1,769,967	1,520	\$1,728,458	7,764
Montgomery	\$1,638,494	4,482	\$1,855,846	1,259
Livingston	\$1,635,226	1,723	\$1,642,931	1,690
Delaware	\$1,602,251	938	\$1,513,761	875
Tioga	\$1,509,775	742	\$1,573,753	932
Ulster	\$1,435,117	784	\$1,605,142	905
Madison	\$1,301,492	699	\$1,061,618	664
Essex	\$1,176,723	729	\$1,439,672	846
Chenango	\$1,103,154	461	\$1,231,249	749
Otsego	\$1,056,002	465	\$1,226,988	507
Nassau	\$1,050,756	1,190	\$1,459,235	894
Queens	\$836,129	2,532	\$625,286	313
Rockland	\$763,567	275	\$1,114,494	483
Putnam	\$596,527	220	\$691,105	234
Greene	\$511,405	201	\$476,861	182
Schoharie	\$391,692	224	\$312,268	189
Sullivan	\$390,205	269	\$553,576	296
Richmond	\$377,771	202	\$330,887	179
Columbia	\$377,259	197	\$517,714	246
Kings	\$192,741	150	\$176,434	136
Bronx	\$92,067	47	\$29,720	27
New York	\$0	0	\$56,107	34

\*\* A deal is defined as a container that holds all the bell jar tickets of a game bearing the same serial number.

\*\* 61 counties reported. Bell jar tickets are not sold in Hamilton County.

## Licensing

All participants in New York State racing are required to obtain an occupational license. Good character and integrity of all participants are of basic importance to the well being of the sport. Every application is reviewed, updated and carefully processed by the Licensing unit before a license is issued. Where it is believed that an applicant's background and associates may warrant a finding that their participation in racing would be inconsistent with the public interest or the best interest of racing generally, a thorough investigation is conducted before unfavorable action is taken in the form of a denial, suspension or revocation of their license.

The chart below reflects the total number of licenses valid to participate in racing in 2004 and 2003, including multi-year licenses which were active during the year. Individuals that hold licenses for more than one occupation (i.e. owner/trainer or trainer/driver) will be counted twice, once in each category. In addition, 391 National Racing Compact licenses were issued in 2003, bringing the total number issued to date to 898.

### Occupational Licenses Valid to Participate

Category	2004			2003		
	Harness	Thoroughbred	Total	Harness	Thoroughbred	Total
Administration	1	0	1	1	0	1
Authorized Agent	0	156	156	0	86	86
Apprentice Jockey	0	53	53	0	41	41
Amateur Jockey	0	4	4	0	2	2
Assistant Trainer	1	476	477	1	403	404
Cleaning Service	94	428	522	89	399	488
Driver	907	0	907	941	0	941
Exercise Rider	1	1,009	1,010	1	861	862
Farrier	41	79	120	43	57	100
Food Service	410	324	734	461	277	738
Groom	1,688	2,539	4,227	1,750	2,204	3,954
Gap Attendant	0	9	9	0	12	12
General Services	867	1,960	2,827	918	1,516	2,434
Jockey	0	320	320	0	271	271
Jockey Agent	0	67	67	0	68	68
Matinee Driver	10	0	10	6	0	6
Mutuel Clerk	445	536	981	433	528	961
Race Official	0	63	63	0	7	7
Original Owner	876	1,764	2,640	913	1,387	2,300
Renewal Owner	4,438	4,607	9,045	4,156	3,730	7,886
Provisional Driver	158	0	158	19	5	24
Private Trainer	26	4	30	104	0	104
Qualifier Driver	103	0	103	0	44	44
Security	230	455	685	213	443	656
Stable Employee	1	1,760	1,761	5	1,613	1,618
Trainer	2,010	796	2,806	2,053	729	2,782
Track Management	143	74	217	123	68	191
Veterinarian	43	81	124	35	62	97
Vet Tech	1	8	9	N/A	N/A	N/A
Vendor – Transporter	2	10	12	3	9	12
<b>TOTALS</b>	<b>12,496</b>	<b>17,582</b>	<b>30,078</b>	<b>12,430</b>	<b>14,822</b>	<b>27,252</b>

## ***Racing Operations and Investigations***

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Each race conducted in at a New York thoroughbred racetrack is observed by at least three stewards; one employed by the Racing and Wagering Board, one employed by the racing association and one employed by the Jockey Club. At the harness tracks each race is observed by at least three judges who all serve as employees of the Racing and Wagering Board. The stewards and judges viewing stand is located near the finish line of each racetrack and is equipped with several television monitors to permit a viewing of multiple angles of each race. The stewards observe the races to ensure that all conduct is in accordance with rules and regulations.

### **Regulatory Activities**

During calendar year 2004, the Board issued **1,102** rulings for violations of racing laws, rules and regulations, at both harness and thoroughbred tracks. The rulings include, but are not limited to driving and riding infractions, general conduct violations, human and equine drug violations, general business practice violations and several other rule and law violations. The main office of the Racing and Wagering Board issued 271 violations which are not assigned to a specific track.

<b>Summary of Rulings by Track (including fines)</b>	
Issued by Racing and Wagering Board Main Office	271
Monticello Raceway	213
Saratoga Raceway	169
Yonkers Raceway	130
Buffalo Raceway	103
Finger Lakes Racing Assn.	96
New York Racing Association	76
Vernon Downs	41
Batavia Downs	3
<b>Total</b>	<b>1,102</b>

### **Equine Deaths**

A total of 144 equine deaths were reported in 2004 in comparison to 120 in 2003.

# *Rules and Legislation*

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## **SUMMARY OF BOARD ACTION ON RULES**

### **The Board adopted the following:**

**Bingo:** Amendments to Parts 5815, 5820 and 5822, and Rules 5800.1, 5812.9, 5814.15 and 5821.18 were promulgated to permit the conduct of new games and remove unnecessary restrictions. Among the amendments adopted were those to eliminate the restrictions on games offering bonus prizes, to allow the sale of bingo cards in packages, to approve tiered bingo games with tiered prizes, to approve the use of multi-colored bingo balls and to increase permitted fees for bookkeeping services.

**Compulsive Gambling:** New Parts 4044, 4123, 4237, and 5202 implemented Section 108 of the Racing Law, as amended by Chapter 434 of the Laws of 2002. These parts provide for the voluntary exclusion of individuals from certain pari-mutuel wagering venues and for voluntary limits on telephone wagering accounts.

**Thoroughbred Trifecta Wagering:** Amendment of Rule 4011.22(i) authorized the conduct of trifecta wagering in stakes races, handicapping races and allowance races in those situations where there are five betting entries.

**Thoroughbred Racing Disqualifications:** Amendment to Rule 4035.2(b) affecting the discretion of the stewards when determining whether or not to disqualify a horse. The amendment clarifies the Rule by vesting the stewards with authority to use their experience and judgment to determine whether the foul altered the finish and whether a disqualification is warranted.

**Video Lottery Gaming Occupational Licensing:** Emergency amendments to thoroughbred rule 4002.1 and harness rule 4101.24 provided for the occupational licensing of video lottery employees who work at the race tracks. The amendments create a form of abbreviated licensing for those employees who

work exclusively in the employ of the video gaming operation, and for food and beverage workers who do not work in restricted areas of the racetrack.

## **2004 LEGISLATION AFFECTING THE RACING AND WAGERING BOARD**

Chapter 32 of the Laws of 2004 amended Section 247 of the Racing, Pari-Mutuel Wagering and Breeding Law to authorize on a permanent basis New York-bred thoroughbred horses to compete with “open” horses and receive New York-bred enhancements to purses.

Chapter 59 of the Laws of 2004 amended Section 527 of the Laws of 2004 in relation to the regional track status of a harness racing association or corporation first licensed to conduct pari-mutuel wagering after January 1, 2004 at a track located in Tioga County.

Chapter 229 of the Laws of 2004 amended Section 1017-b of the Racing, Pari-Mutuel Wagering and Breeding Law deals with the distribution of revenues from wagers on out-of-state simulcasting during the Saratoga thoroughbred race meet. This provision was extended through the end of the 2007 Saratoga thoroughbred race meeting.

Chapter 319 of the Laws of 2004 was a chapter amendment, which made technical changes to Chapter 498 of the Laws of 2003 in relation to the training of persons for the repair of slot machines.

Chapter 325 of the Laws of 2004 amended Section 213-a of the Racing, Pari-Mutuel Wagering and Breeding Law in relation to the appointment of the jockeys’ representative to the seven-person board of the New York Jockey Injury Compensation Fund.

Chapter 373 of the Laws of 2004 added a new Section 909 to the Racing, Pari-Mutuel Wagering and Breeding Law to authorize proposition wagers. This law has a sunset date of June 30,

## ***Rules and Legislation (continued)***

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Chapter 416 of the Laws of 2004 amended Section 236 of the Racing, Pari-Mutuel Wagering and Breeding Law in relation to free passes, cards or badges. The categories of persons to whom free passes, cards or badges may be issued was expanded to include spouses, domestic partners and children of owners, trainers and jockeys.

Chapter 678 of the Laws of 2004 amended the General Municipal Law by adding a new Section 190-a to remove licensing and reporting requirements for the conduct of raffles by authorized organizations in connection with the conduct of raffles from which the organization shall derive less than \$3,000 in net proceeds during one occasion and which derives less than \$20,000 in net proceeds during one calendar year.

Chapter 639 of the Laws of 2004 amended the Agriculture and Markets Law and the Alcoholic Beverage Control Law in relation to allowing charitable organizations to sponsor wine tastings of New York State labeled wines conducted by New York State wineries or farm wineries.

# Indian Gaming

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Class III, or casino-style gaming on Native American lands, came to New York State as a result of the passage by the United States Congress of the Indian Gaming Regulatory Act (IGRA) of 1988, 25 U.S.C. §2701 *et seq*

## Indian Gaming Regulatory Act

The IGRA contains a regulatory scheme designed to provide different levels of jurisdiction depending upon the type of gambling that is to occur on Indian lands. The IGRA divides gambling into three types and establishes a regulatory scheme for each. Class I gaming is described as “social games played solely for prizes of minimal value or traditional forms of Indian gaming engaged in as part of, or in connection with, tribal ceremonies or celebrations.” Class I gaming is under the exclusive jurisdiction of Indian tribes, and is not subject to the provisions of the IGRA. Class II gaming is defined as “the game of chance commonly known as bingo including (if played at the same location) pull-tabs, lotto, punch boards, tip jars, instant bingo and other games similar to bingo.” Class II gaming is under tribal jurisdiction, subject to the provisions of the IGRA and oversight by the National Indian Gaming Commission. States are not permitted to regulate any Class II gaming activity. Under the IGRA, Class III gaming may only be conducted pursuant to the terms of a compact between a tribe and the state in which its lands are located. Class III gaming is defined as all other types of gambling, including banked card games (e.g., baccarat and blackjack), slot machines, pari-mutuel wagering and jai alai.

## New York Compacts

Class III compacts exist between the State and the Oneida Indian Nation of New York, Saint Regis Mohawk Tribe and Seneca Nation of Indians. On April 16, 1993, Governor Mario M. Cuomo signed the Oneida Indian Nation of New York’s Compact on behalf of the State of New York. The Compact was subsequently approved by the Department of the Interior, on June 4, 1993.

The Oneida opened their Turning Stone Casino Resort on June 20, 1993. Governor Cuomo signed the Saint Regis Mohawk Tribe’s Compact on June 9, 1993. The Compact was subsequently approved by Interior on December 4, 1993. The Mohawk’s opened their Akwesasne Mohawk Casino on April 10, 1999. Finally, Governor George E. Pataki signed the Seneca Nation of Indians’ Compact on August 18, 2002. Approval was received from Interior on October 25, 2002. The Seneca opened their Seneca Niagara Casino on December 31, 2002.

Contained in each compact are standards and specifications for each game authorized for conduct at an Indian casino, the rules and internal controls governing the operation of the gaming facility, procedures for certification and/or registration of gaming employees and companies transacting business with the casino, and a system for mediating disputes.

## Gaming Inspectors

The Board maintains a constant, twenty-four hour presence within each gaming facility. Board gaming inspectors are experienced, professional investigators, specially trained to monitor casino gaming activities with the respective Nation or Tribal gaming inspectors, security officers and surveillance departments. Board gaming inspectors conduct compliance examinations on a regular basis to ensure that gaming operations such as dealing procedures, internal accounting controls and other safeguards strictly conform to the applicable provisions of their respective compacts.

Casino patrons regularly seek State gaming inspectors to clarify the rules of the games and for recourse after filing complaints with casino managers and Nation or Tribal gaming regulators. Board gaming inspectors conduct investigations, interviews, review surveillance videotapes, and prepare detailed narrative reports as part of their normal duties.

# Indian Gaming

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## Licensing

The Board's Licensing Department is responsible for the review and subsequent approval or denial of the applications submitted by all persons involved with Class III gaming in the State. Under the Oneida and Mohawk compacts, no person may commence or continue employment as a gaming employee unless he or she is the holder of a valid gaming employee certification and license issued by the Board and the Nation or Tribal gaming commission, respectively, or, in the case of the Seneca compact, the employee has been issued a finding of suitability by the Board and a license issued by the Seneca Gaming Authority. The term "gaming employee" is broad, meaning any person employed in the operation or management of Class III gaming, whether employed by the Nation or Tribe or by any enterprise providing on-site services to the Nation or Tribe within a Class III gaming facility and any other person whose employment duties require or authorize access to restricted areas of the gaming facilities not otherwise opened to the public. The level of scrutiny to which employee applicants are subject depends upon the nature of their responsibilities at the casino, their degree of access, and their ability to influence gambling activities on the gaming floor.

At a minimum, each applicant for a gaming employee certification or suitability must submit a completed license application, State and federal fingerprint cards and, when warranted, Royal Canadian Mounted Police fingerprint cards. Provided that the application is complete and all required documentation has been submitted, the Board forwards a copy of the application to the New York State Police (State Police), which conducts a background investigation of the applicant. The Board also forwards the fingerprint cards to the Division of Criminal Justice Services (Division), the Federal Bureau of Investigation and, when warranted, the Royal Canadian Mounted Police for a fingerprint-based search of their files.

The State Police report the results of its investigation to the Board. The Board reviews the fingerprint returns and each applicant background investigation report and evaluates them using compact-enumerated criteria to determine eligibility for certification or suitability, as appropriate.

Pursuant to each compact, enterprises or individuals wishing to conduct gaming-related business with a Class III gaming facility must hold a Board-issued gaming service registration or be found suitable by the Board prior to providing gaming services, gaming supplies or gaming equipment to the casinos. As with "gaming employee," the term "enterprise" and the scope of business conducted that requires registration is quite broad. "Enterprise" means any individual, trust, corporation, partnership, or other legal entity of any kind; provided, however, that with respect to a corporation, the term "enterprise" shall include each other corporation or other legal entity that directly or indirectly controls a majority of the voting interests in such corporation.

Furthermore, with respect to any partnership, trust, or other form of unincorporated business organization, the term "enterprise" also includes each corporation or other legal entity that controls a majority of the voting interests in such organization. "Gaming services" means those services provided to the Nation or Tribal gaming operation in connection with the operation of Class III gaming, including maintenance or security services for the Class III gaming facility, gaming schools or training activities, promotional services, printing or manufacture of betting tickets, and manufacture, distribution, maintenance, testing or repair of gaming equipment. "Gaming supplies" means those goods or supplies, which are specially designed for use in the operation of a Class III game or activity. "Gaming equipment" means any machine, device or equipment that is specially designed or manufactured for use in the operation of a Class III game or activity.

# Indian Gaming

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## Regulatory Costs

Finally, Federal law permits, and each compact dictates, that all of the State's regulatory expenses for both personnel and equipment be either paid for directly, or be reimbursed, by the regulated Indian Nation or Tribe.

## Activity

The following chart illustrates the Licensing Departments activity related to applications received from the three Indian Casinos operating in New York State during 2004.

	<b>Oneida Nation</b>	<b>Mohawk Tribe</b>	<b>Seneca Niagara</b>	<b>Seneca Allegany</b>
	<b>2004</b>	<b>2004</b>	<b>2004</b>	<b>2004</b>
<b>Temporary Certifications Issued</b>	1,008	147	1,098	1,091
<b>Annual Certifications Issued</b>	476	113	404	11
<b>Temporary Certifications Denied</b>	27	4	29	53
<b>Annual Certifications Denied</b>	0	0	0	0

	<b>Oneida Nation</b>	<b>Mohawk Tribe</b>	<b>Seneca Nation</b>	<b>Seneca Allegany</b>
	<b>Lifetime</b>	<b>Lifetime</b>	<b>Lifetime</b>	<b>Lifetime</b>
<b>Temporary Certifications Issued</b>	10,973	1,579	4,750	1,091
<b>Annual Certifications Issued</b>	4,862	735	464	11
<b>Temporary Certifications Denied</b>	258	98	366	53
<b>Annual Certifications Denied</b>	6	10	3	0

## 2004 Handle on New York Racing – On-Track, Off-Track and Out-of-State

	Track Holding Race									TOTAL
	NYRA	Finger Lakes	Batavia	Buffalo	Monticello	Saratoga Harness	Syracuse	Vernon	Yonkers	
<b>On-Track Live</b>	324,865,241	14,114,914	113,980	3,666,794	6,270,555	8,826,475	495,449	2,138,229	18,044,511	<b>378,536,148</b>
<b>Simulcast Exports</b>										
Exported to NYS Tracks:										
NYRA	17,177,630	4,767,747	-	-	-	-	-	-	-	21,945,377
Finger Lakes	6,815,696	-	-	-	352,440	-	-	-	-	7,168,136
Batavia	511,707	178,195	-	364,307	154,290	63,846	-	44,856	67,774	1,384,975
Buffalo	1,905,194	345,479	19,459	-	150,763	199,740	-	65,920	92,070	2,778,625
Monticello	2,379,392	131,363	969	8,139	-	127,480	-	30,943	329,622	3,007,908
Saratoga Harness	9,375,316	507,211	2,024	9,257	111,876	-	-	63,416	371,340	10,440,440
Syracuse Mile	-	-	-	-	-	-	-	-	-	-
Vernon	1,248,381	220,737	3,083	84,866	112,979	313,149	-	-	134,759	2,117,954
Yonkers	32,968,407	1,252,449	5,813	308,661	712,630	579,693	-	57,080	-	35,884,733
										-
<b>Total to NYS Tracks</b>	<b>72,381,723</b>	<b>7,403,181</b>	<b>31,348</b>	<b>775,230</b>	<b>1,594,978</b>	<b>1,283,908</b>	<b>-</b>	<b>262,215</b>	<b>995,565</b>	<b>84,728,148</b>
<b>Exported to NYS OTB's</b>										-
Capital	75,244,748	8,865,654	6,521	215,124	3,056,245	4,475,590	-	573,363	2,546,600	94,983,845
Catskill	36,717,715	4,401,790	6,078	169,430	4,743,259	911,205	-	95,028	3,543,494	50,587,999
Nassau	110,355,482	6,155,528	-	8,103	4,085,149	936,874	-	150,316	4,938,912	126,630,364
New York City	321,207,052	21,823,250	14,606	298,001	13,917,987	1,981,311	-	286,324	24,821,740	384,350,271
Suffolk	74,403,533	4,358,468	-	6,454	2,724,624	597,058	-	122,426	4,121,472	86,334,035
Western	33,859,876	13,476,124	128,875	3,274,470	3,874,478	1,946,732	-	510,901	2,029,471	59,100,927
										-
<b>Total to NYS OTB's</b>	<b>651,788,406</b>	<b>59,080,814</b>	<b>156,080</b>	<b>3,971,582</b>	<b>32,401,742</b>	<b>10,848,770</b>	<b>-</b>	<b>1,738,358</b>	<b>42,001,689</b>	<b>801,987,441</b>
<b>Exported Out of State</b>	<b>1,713,178,677</b>	<b>59,927,016</b>	<b>20,785</b>	<b>57,559</b>	<b>52,717,001</b>	<b>6,966,556</b>	<b>-</b>	<b>385,100</b>	<b>36,629,690</b>	<b>1,869,882,384</b>
<b>Total Handle on NY Racing</b>	<b>2,762,214,047</b>	<b>140,525,925</b>	<b>322,193</b>	<b>8,471,165</b>	<b>92,984,276</b>	<b>27,925,709</b>	<b>495,449</b>	<b>4,523,902</b>	<b>97,671,455</b>	<b>3,135,134,121</b>

## 2004 Wagering at New York Tracks – Live Racing vs. In-State Simulcasting

	2004			2003		
	Simulcast Imports	Live Racing	On-Track Betting	Simulcast Imports	Live Racing	On-Track Betting
<b>RECEIVING TRACK</b>						
<b>THOROUGHBRED:</b>						
Aqueduct	\$ 77,770,476	\$ 95,514,272	\$ 173,284,748	\$ 92,871,990	\$ 101,956,483	\$ 194,828,473
Belmont	38,977,063	113,576,195	152,553,258	46,399,021	118,069,796	164,468,817
Saratoga	18,663,569	115,774,774	134,438,343	17,482,141	117,408,241	134,890,382
<b>Total NYRA</b>	<b>135,411,108</b>	<b>324,865,241</b>	<b>460,276,349</b>	<b>156,753,152</b>	<b>337,434,520</b>	<b>494,187,672</b>
Finger Lakes	16,096,661	14,114,914	30,211,575	15,862,723	13,288,077	29,150,800
<b>THOROUGHBRED TRACKS</b>	<b>151,507,769</b>	<b>338,980,155</b>	<b>490,487,924</b>	<b>172,615,875</b>	<b>350,722,597</b>	<b>523,338,472</b>
<b>HARNESS:</b>						
Batavia	4,444,207	113,980	4,558,187	6,871,281	3,420,176	10,291,457
Buffalo	9,414,725	3,666,794	13,081,519	10,127,889	2,792,284	12,920,173
Monticello	8,601,982	6,270,555	14,872,537	8,827,390	7,224,785	16,052,175
Saratoga	30,266,347	8,826,475	39,092,822	25,499,862	6,145,003	31,644,865
Syracuse Mile	-	495,449	495,449	-	-	-
Vernon	8,283,270	2,138,229	10,421,499	14,578,265	4,711,200	19,289,465
Yonkers	81,477,886	18,044,511	99,522,397	86,075,186	26,056,411	112,131,597
<b>HARNESS TRACKS</b>	<b>142,488,417</b>	<b>39,555,993</b>	<b>182,044,410</b>	<b>151,979,873</b>	<b>50,349,859</b>	<b>202,329,732</b>
<b>ALL TRACKS</b>	<b>\$ 293,996,186</b>	<b>\$ 378,536,148</b>	<b>\$ 672,532,334</b>	<b>\$ 324,595,748</b>	<b>\$ 401,072,456</b>	<b>\$ 725,668,204</b>

## 2004 Wagering at New York Tracks - New York Racing vs. Out-of-State Racing

SUMMARY OF ON-TRACK BETTING	2004					
	Betting at NYS Thoroughbred Tracks	Percent of Total Thoroughbred	Betting at NYS Harness Tracks	Percent of Total Harness	Total	Percent of Total
<b>LIVE RACING:</b>						
NYRA	\$ 324,865,241	66.2%	\$ -	0.0%	\$ 324,865,241	48.3%
Finger Lakes	14,114,914	2.9%	-	0.0%	14,114,914	2.1%
NYS Harness Tracks	-	0.0%	39,555,993	21.7%	39,555,993	5.9%
<b>All Live Racing at NYS Tracks</b>	<b>338,980,155</b>	<b>69.1%</b>	<b>39,555,993</b>	<b>21.7%</b>	<b>378,536,148</b>	<b>56.3%</b>
<b>In-State Simulcasting between NYS Tracks</b>						
NYRA	23,993,326	4.9%	48,388,397	26.6%	72,381,723	10.8%
Finger Lakes	4,767,747	1.0%	2,635,434	1.4%	7,403,181	1.1%
NYS Harness Tracks	352,440	0.1%	4,590,804	2.5%	4,943,244	0.7%
<b>All Simulcasts from NYS Tracks</b>	<b>29,113,513</b>	<b>5.9%</b>	<b>55,614,635</b>	<b>30.5%</b>	<b>84,728,148</b>	<b>12.6%</b>
<b>WAGERING ON NYS RACING AT NYS TRACKS</b>	<b>368,093,668</b>	<b>75.0%</b>	<b>95,170,628</b>	<b>52.2%</b>	<b>463,264,296</b>	<b>68.9%</b>
<b>Wagering on Out-of-State Races at NYS Tracks</b>						
Thoroughbred Races	122,394,256	25.0%	53,582,266	29.4%	175,976,522	26.2%
Harness Races	-	0.0%	33,291,516	18.3%	33,291,516	5.0%
<b>All Simulcasts from Out-of-State Tracks</b>	<b>122,394,256</b>	<b>25.0%</b>	<b>86,873,782</b>	<b>47.7%</b>	<b>209,268,038</b>	<b>31.1%</b>
<b>TOTAL BETTING AT NYS TRACKS FROM ALL SOURCES</b>	<b>\$ 490,487,924</b>	<b>100.0%</b>	<b>\$ 182,044,410</b>	<b>100.0%</b>	<b>\$ 672,532,334</b>	<b>100.0%</b>

NOTE: Simulcast Imports represents all simulcasts. This includes in-state and out-of-state simulcasts.  
 Simulcast Imports + Live Racing = On-Track Betting

## 2004 Wagering at New York Tracks - Distribution of Revenues

	NYRA	Finger Lakes	Batavia	Buffalo	Monticello	Saratoga	Syracuse	Vernon	Yonkers	All NYS Tracks
Regular	\$ 173,333,942	\$ 8,389,429	\$ 1,067,155	\$ 3,871,258	\$ 3,652,703	\$ 13,707,153	\$ 108,465	\$ 2,628,335	\$ 29,180,287	\$ 235,938,727
Multiple	164,386,210	11,334,802	1,785,040	3,743,241	5,364,415	13,886,287	193,668	3,785,844	49,576,910	254,056,417
Exotic	115,202,825	10,487,344	1,619,416	5,467,020	5,118,136	10,330,096	193,316	3,991,419	19,326,355	171,735,927
Super Exotic	7,353,372	-	86,576	-	737,283	1,169,286	-	15,901	1,438,845	10,801,263
<b>Total Handle</b>	<b>\$ 460,276,349</b>	<b>\$ 30,211,575</b>	<b>\$ 4,558,187</b>	<b>\$ 13,081,519</b>	<b>\$ 14,872,537</b>	<b>\$ 39,092,822</b>	<b>\$ 495,449</b>	<b>\$ 10,421,499</b>	<b>\$ 99,522,397</b>	<b>\$ 672,532,334</b>
Takeout	\$ 84,813,634	\$ 6,344,087	\$ 1,064,156	\$ 2,740,331	\$ 3,136,065	\$ 7,744,140	\$ 106,586	\$ 2,106,789	\$ 19,944,580	\$ 128,000,368
Breakage	2,194,695	126,584	18,866	59,910	61,327	197,587	2,062	45,086	436,997	3,143,114
<b>Total Takeout &amp; Breakage</b>	<b>\$ 87,008,329</b>	<b>\$ 6,470,671</b>	<b>\$ 1,083,022</b>	<b>\$ 2,800,241</b>	<b>\$ 3,197,392</b>	<b>\$ 7,941,727</b>	<b>\$ 108,648</b>	<b>\$ 2,151,875</b>	<b>\$ 20,381,577</b>	<b>\$ 131,143,482</b>
State Tax on Handle	\$ 6,736,189	\$ 368,339	\$ 56,965	\$ 132,952	\$ 136,809	\$ 382,621	\$ 2,477	\$ 119,434	\$ 1,254,820	\$ 9,190,606
State Regulatory Fee	1,795,078	117,825	17,777	51,018	55,627	152,462	1,928	40,644	388,137	2,620,496
State Tax on Breakage	637,654	55,107	7,394	25,633	26,159	81,241	1,031	19,349	161,452	1,015,020
<b>Total Tax &amp; Regulatory Fee</b>	<b>\$ 9,168,921</b>	<b>\$ 541,271</b>	<b>\$ 82,136</b>	<b>\$ 209,603</b>	<b>\$ 218,595</b>	<b>\$ 616,324</b>	<b>\$ 5,436</b>	<b>\$ 179,427</b>	<b>\$ 1,804,409</b>	<b>\$ 12,826,122</b>
Racetrack Commission	\$ 73,318,256	\$ 5,706,865	\$ 954,049	\$ 2,455,244	\$ 2,820,886	\$ 6,969,459	\$ 97,227	\$ 1,877,008	\$ 17,620,970	\$ 111,819,964
Racetrack Breakage	1,557,041	71,477	11,471	34,277	35,168	116,346	1,031	25,737	275,544	2,128,092
<b>Total to Racetrack</b>	<b>\$ 74,875,297</b>	<b>\$ 5,778,342</b>	<b>\$ 965,520</b>	<b>\$ 2,489,521</b>	<b>\$ 2,856,054</b>	<b>\$ 7,085,805</b>	<b>\$ 98,258</b>	<b>\$ 1,902,745</b>	<b>\$ 17,896,514</b>	<b>\$ 113,948,056</b>
<b>Horse Breeders Fund Share</b>	<b>\$ 2,964,111</b>	<b>\$ 151,058</b>	<b>\$ 35,365</b>	<b>\$ 101,117</b>	<b>\$ 122,743</b>	<b>\$ 239,598</b>	<b>\$ 4,954</b>	<b>\$ 69,703</b>	<b>\$ 680,653</b>	<b>\$ 4,369,302</b>
<b>Racetrack Payouts</b>										
Paid to Simulcast Senders	\$ 3,316,837	\$ 621,630	\$ 139,139	\$ 347,381	\$ 405,158	\$ 1,663,568	\$ -	\$ 294,269	\$ 3,969,997	\$ 10,757,979
Paid to NYRA and Finger Lakes	\$ 606,323	\$ 171,377	\$ 34,209	\$ 113,209	\$ 90,006	\$ 413,395	\$ -	\$ 64,644	\$ 902,310	\$ 2,395,473
Gross Purses Paid	\$ 115,475,811	\$ 16,089,000	\$ 49,350	\$ 3,157,972	\$ 7,264,652	\$ 9,131,238	\$ 829,000	\$ 830,940	\$ 15,381,819	\$ 168,209,782
Minus Pool	\$ 794,599	\$ 18,353	\$ 220	\$ 604	\$ 1,739	\$ 34,019	\$ 68	\$ 10,362	\$ 44,115	\$ 904,079
<b>Uncashed Tickets</b>	<b>\$ 1,631,269</b>	<b>\$ 143,267</b>	<b>\$ 1,491</b>	<b>\$ 51,875</b>	<b>\$ 70,753</b>	<b>\$ 189,272</b>	<b>\$ 4,138</b>	<b>\$ 38,860</b>	<b>\$ 261,304</b>	<b>\$ 2,392,229</b>
<b>State Admission Taxes</b>	<b>\$ 337,029</b>	<b>\$ 1,716</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 262</b>	<b>\$ -</b>	<b>\$ 225</b>	<b>\$ 3,897</b>	<b>\$ 343,129</b>

NOTE: Handle includes on-track live racing and simulcast imports of all racing. NYRA Track amounts are allocated by total handle of each track with the exception of Purses and Admission Taxes Amounts were not reported by track.

## 2004 Off-Track Betting Corporations – Handle by Track and Region

	Capital	Catskill	Nassau	New York City	Suffolk	Western	All Regions
<b>New York State Thoroughbred:</b>							
NYRA:							
Aqueduct	\$ 28,118,376	\$ 15,824,589	\$ 49,282,886	\$ 141,095,380	\$ 33,526,472	\$ 15,744,458	\$ 283,592,161
Belmont	26,402,188	14,646,275	42,066,690	128,878,820	28,795,482	12,496,271	253,285,726
Saratoga	20,724,184	6,246,851	19,005,906	51,232,852	12,081,579	5,619,147	114,910,519
<b>Total NYRA</b>	<b>75,244,748</b>	<b>36,717,715</b>	<b>110,355,482</b>	<b>321,207,052</b>	<b>74,403,533</b>	<b>33,859,876</b>	<b>651,788,406</b>
Finger Lakes	8,865,654	4,401,790	6,155,528	21,823,250	4,358,468	13,476,124	59,080,814
<b>Handle on NYS Thoroughbred Tracks</b>	<b>84,110,402</b>	<b>41,119,505</b>	<b>116,511,010</b>	<b>343,030,302</b>	<b>78,762,001</b>	<b>47,336,000</b>	<b>710,869,220</b>
<b>New York State Harness:</b>							
Batavia	6,521	6,078	-	14,606	-	128,875	156,080
Buffalo	215,124	169,430	8,103	298,001	6,454	3,274,470	3,971,582
Monticello	3,056,245	4,743,259	4,085,149	13,917,987	2,724,624	3,874,478	32,401,742
Saratoga	4,475,590	911,205	936,874	1,981,311	597,058	1,946,732	10,848,770
Syracuse Mile	-	-	-	-	-	-	-
Vernon	573,363	95,028	150,316	286,324	122,426	510,901	1,738,358
Yonkers	2,546,600	3,543,494	4,938,912	24,821,740	4,121,472	2,029,471	42,001,689
<b>Handle on NYS Harness Tracks</b>	<b>10,873,443</b>	<b>9,468,494</b>	<b>10,119,354</b>	<b>41,319,969</b>	<b>7,572,034</b>	<b>11,764,927</b>	<b>91,118,221</b>
<b>Handle on All New York State Tracks</b>	<b>94,983,845</b>	<b>50,587,999</b>	<b>126,630,364</b>	<b>384,350,271</b>	<b>86,334,035</b>	<b>59,100,927</b>	<b>801,987,441</b>
Out-of-State Thoroughbred	92,298,010	67,023,760	136,416,817	536,714,888	93,746,301	61,707,356	987,907,132
Out-of-State Harness	20,972,256	22,506,474	32,699,049	103,513,288	22,166,764	25,958,365	227,816,196
<b>Handle on Out-of-State Tracks</b>	<b>113,270,266</b>	<b>89,530,234</b>	<b>169,115,866</b>	<b>640,228,176</b>	<b>115,913,065</b>	<b>87,665,721</b>	<b>1,215,723,328</b>
<b>Special Event Races:</b>							
Breeders Cup	1,420,964	625,216	1,204,912	3,968,549	933,621	690,569	8,843,831
Kentucky Derby	1,594,673	1,465,222	1,506,473	4,578,690	1,320,996	1,235,730	11,701,784
Preakness Stakes	965,755	911,019	897,919	2,962,386	791,147	848,625	7,376,851
<b>Handle on Special Event Races</b>	<b>3,981,392</b>	<b>3,001,457</b>	<b>3,609,304</b>	<b>11,509,625</b>	<b>3,045,764</b>	<b>2,774,924</b>	<b>27,922,466</b>
<b>Total NYS OTB Handle on All Tracks</b>	<b>\$ 212,235,503</b>	<b>\$ 143,119,690</b>	<b>\$ 299,355,534</b>	<b>\$ 1,036,088,072</b>	<b>\$ 205,292,864</b>	<b>\$ 149,541,572</b>	<b>\$ 2,045,633,235</b>

## 2004 Off-Track Betting Corporations – Handle and Distribution of Revenues

	Capital	Catskill	Nassau	New York City	Suffolk	Western	All Regions
<b>Net Handle on:</b>							
In State Thoroughbred Tracks	\$ 84,110,402	\$ 41,119,505	\$ 116,511,010	\$ 343,030,302	\$ 78,762,001	\$ 47,336,000	\$ 710,869,220
Out of State Thoroughbred Tracks	96,279,402	70,025,217	140,026,121	548,224,513	96,792,065	64,482,280	1,015,829,598
In State Harness Tracks	10,873,443	9,468,494	10,119,354	41,319,969	7,572,034	11,764,927	91,118,221
Out of State Harness Tracks	20,972,256	22,506,474	32,699,049	103,513,288	22,166,764	25,958,365	227,816,196
<b>Total Net Handle</b>	<b>212,235,503</b>	<b>143,119,690</b>	<b>299,355,534</b>	<b>1,036,088,072</b>	<b>205,292,864</b>	<b>149,541,572</b>	<b>2,045,633,235</b>
<b>Less:</b>							
Returned to Bettors	161,258,837	107,270,433	229,406,706	791,273,743	157,243,766	111,157,018	1,557,610,503
Surcharge	7,767,564	5,721,739	9,127,188	33,598,344	5,917,320	6,518,408	68,650,563
<b>OTB Take Out and Breakage</b>	<b>43,209,102</b>	<b>30,127,518</b>	<b>60,821,640</b>	<b>211,215,985</b>	<b>42,131,778</b>	<b>31,866,146</b>	<b>419,372,169</b>
<b>Less Payments to:</b>							
NY State (Pari-Mutuel Tax & Breakage)	1,650,587	1,219,508	2,444,880	8,057,295	1,783,159	1,410,394	16,565,823
NY State Regulatory Fee	827,718	558,167	1,167,528	4,040,743	800,642	583,212	7,978,010
NY State (Uncashed Tickets)	840,000	485,663	823,318	3,199,463	596,078	615,000	6,559,522
Breeders' Fund - Thoroughbred	1,073,882	647,151	1,533,984	5,338,445	1,039,727	651,615	10,284,804
Breeders' Fund - Harness	494,767	417,190	722,486	2,490,583	498,694	467,184	5,090,904
In State Thoroughbred Tracks	9,393,289	6,849,070	16,162,052	61,262,235	11,123,167	6,930,660	111,720,473
Out of State Thoroughbred Tracks	2,270,882	1,631,833	3,024,129	12,295,593	2,219,125	1,474,048	22,915,610
In State Harness Tracks	4,302,042	2,136,581	3,041,951	12,437,929	2,207,817	2,714,487	26,840,807
Out of State Harness Tracks	419,675	486,267	892,878	2,230,952	474,489	591,202	5,095,463
City of Albany	338,391	-	-	-	-	-	338,391
City of Niagara	-	-	-	-	-	63,567	63,567
<b>Total Payments</b>	<b>21,611,233</b>	<b>14,431,430</b>	<b>29,813,206</b>	<b>111,353,238</b>	<b>20,742,898</b>	<b>15,501,369</b>	<b>213,453,374</b>
<b>Net Racing Revenue</b>	<b>21,597,869</b>	<b>15,696,088</b>	<b>31,008,434</b>	<b>99,862,747</b>	<b>21,388,880</b>	<b>16,364,777</b>	<b>205,918,795</b>
<b>Other Revenue:</b>							
Admission Income	83,182	101,905	152,738	416,075	133,752	2,780	890,432
Lottery Income	485,239	288,675	51,518	15,691	78,739	417,291	1,337,153
Concession Income	216,021	32,203	109,513	111,198	69,169	21,294	559,398
Derived from Section 532	1,941,736	1,663,288	2,057,471	9,830,823	1,488,345	1,804,455	18,786,118
Interest Income	35,536	45,224	34,848	263,309	28,446	10,620	417,983
Other Income	441,375	217,561	615,167	625,414	2,355,261	(1,644,491)	2,610,287
Uncashed Tickets	840,000	485,663	823,318	3,199,463	596,078	615,000	6,559,522
<b>Total Operating Revenue</b>	<b>25,640,958</b>	<b>18,530,607</b>	<b>34,853,007</b>	<b>114,324,720</b>	<b>26,138,670</b>	<b>17,591,726</b>	<b>237,079,688</b>
<b>Operating Expenses:</b>							
Branch Expenses	16,321,873	10,757,484	19,327,094	86,966,833	16,502,834	15,405,770	165,281,888
Corporate Expenses	7,456,524	2,649,040	8,524,420	37,983,010	9,498,812	4,349,576	70,461,382
<b>Total Operating Expenses - Including Depreciation</b>	<b>23,778,397</b>	<b>13,406,524</b>	<b>27,851,514</b>	<b>124,949,843</b>	<b>26,001,646</b>	<b>19,755,346</b>	<b>235,743,270</b>
<b>Section 516 Net Revenues from Operations</b>	<b>1,862,561</b>	<b>5,124,083</b>	<b>7,001,493</b>	<b>(10,625,123)</b>	<b>137,024</b>	<b>(2,163,620)</b>	<b>1,336,418</b>

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**2004 Off-Track Betting Corporations – Handle and Distribution of Revenues**

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<b>Section 516 Net Revenues from Operations</b>	<b>1,862,561</b>	<b>5,124,083</b>	<b>7,001,493</b>	<b>(10,625,123)</b>	<b>137,024</b>	<b>(2,163,620)</b>	<b>1,336,418</b>
Less:							
Section 509-a Contributions to Capital Acquisition Fund	(412,800)	1,905,564	-	-	-	-	1,492,764
<b>Section 516 Net Revenue for Distribution (Loss)</b>	<b>1,449,761</b>	<b>7,029,647</b>	<b>7,001,493</b>	<b>(10,625,123)</b>	<b>137,024</b>	<b>(2,163,620)</b>	<b>2,829,182</b>
Surcharge:							
Section 532 Revenues to Participating Localities	3,463,597	2,503,693	4,747,670	17,347,136	2,625,565	2,833,497	33,521,158
Section 532 Revenues to Other Localities	1,420,731	840,405	1,198,186	2,553,128	1,071,458	1,026,753	8,110,661
<b>Total Surcharge to all Localities</b>	<b>4,884,328</b>	<b>3,344,098</b>	<b>5,945,856</b>	<b>19,900,264</b>	<b>3,697,023</b>	<b>3,860,250</b>	<b>41,631,819</b>
Capital Acquisition Funds:							
Section 509-a Contribution from Net Revenues	412,800	(1,905,564)	-	-	-	-	(1,492,764)
Supplemental 1% Section 532	941,500	714,353	1,123,861	3,867,257	731,952	853,703	8,232,626
Other Fund Revenues net of Expenses	(1,084,881)	138,068	(1,733,719)	-	-	(1,199,018)	(3,879,550)
<b>Total Capital Acquisition Funds</b>	<b>269,419</b>	<b>(1,053,143)</b>	<b>(609,858)</b>	<b>3,867,257</b>	<b>731,952</b>	<b>(345,315)</b>	<b>2,860,312</b>
<b>TOTAL 516 NET REVENUE (LOSS), SURCHARGE AND CAPITAL ACQUISITIONS FUNDS</b>	<b>\$ 6,603,508</b>	<b>\$ 9,320,602</b>	<b>\$ 12,337,491</b>	<b>\$ 13,142,398</b>	<b>\$ 4,565,999</b>	<b>\$ 1,351,315</b>	<b>\$ 47,321,313</b>

NOTE: Reference to “Section” above is related to sections within the New York State Racing, Pari-Mutuel Wagering and Breeding Law. Participating Localities are local governments within the Off-Track Betting Region that have elected to participate under Section 502 of the Racing, Pari-Mutuel Wagering and Breeding Law. Other Localities are local governments which have racetracks located within their borders and receive a portion of the surcharge.

## 2004 Off-Track Betting Corporations – Direct and Regional Payments to Tracks

	Capital	Catskill	Nassau	New York City	Suffolk	Western	TOTAL
<b>New York State Thoroughbred:</b>							
NYRA:							
Aqueduct	\$ 1,568,383	\$ 1,509,887	\$ 3,601,068	\$ 13,636,432	\$ 2,633,673	\$ 853,022	\$ 23,802,465
Belmont	1,360,197	952,254	3,040,903	12,324,052	2,259,269	667,851	20,604,526
Saratoga	989,470	405,611	1,360,404	4,627,174	936,485	268,567	8,587,711
<b>Total NYRA Direct</b>	<b>3,918,050</b>	<b>2,867,752</b>	<b>8,002,375</b>	<b>30,587,658</b>	<b>5,829,427</b>	<b>1,789,440</b>	<b>52,994,702</b>
NYRA Regional	4,165,169	3,178,689	6,651,671	24,853,005	4,269,098	2,839,394	45,957,026
Finger Lakes Direct	443,660	191,997	249,682	1,007,861	170,433	1,306,443	3,370,076
Finger Lakes Regional	866,410	610,632	1,258,324	4,813,711	854,209	995,383	9,398,669
<b>Total New York State Thoroughbred</b>	<b>9,393,289</b>	<b>6,849,070</b>	<b>16,162,052</b>	<b>61,262,235</b>	<b>11,123,167</b>	<b>6,930,660</b>	<b>111,720,473</b>
<b>New York State Harness:</b>							
Batavia Direct	187	108	-	246	-	8,457	8,998
Batavia Regional	-	-	-	-	-	271,337	271,337
Buffalo Direct	5,016	3,253	138	5,007	113	226,413	239,940
Buffalo Regional	-	-	-	-	-	1,835,977	1,835,977
Monticello Direct	79,474	263,288	223,917	748,929	152,169	103,015	1,570,792
Monticello Regional	-	814,479	1,132,821	3,599,415	741,620	-	6,288,335
Saratoga Direct	383,877	15,937	15,814	33,197	10,289	34,210	493,324
Saratoga Regional	2,973,609	-	-	-	-	-	2,973,609
Syracuse Mile Direct	-	-	-	-	-	-	-
Syracuse Mile Regional	-	-	-	-	-	-	-
Vernon Direct	33,119	1,784	2,561	4,819	2,082	19,160	63,525
Vernon Regional	765,757	4,144	-	-	-	158,991	928,892
Yonkers Direct	61,003	214,763	329,930	2,009,568	332,466	56,927	3,004,657
Yonkers Regional	-	818,825	1,336,770	6,036,748	969,078	-	9,161,421
<b>Total New York State Harness</b>	<b>4,302,042</b>	<b>2,136,581</b>	<b>3,041,951</b>	<b>12,437,929</b>	<b>2,207,817</b>	<b>2,714,487</b>	<b>26,840,807</b>
<b>Total Payments to New York State Tracks</b>	<b>13,695,331</b>	<b>8,985,651</b>	<b>19,204,003</b>	<b>73,700,164</b>	<b>13,330,984</b>	<b>9,645,147</b>	<b>138,561,280</b>
Out-of-State Thoroughbred	2,011,762	1,440,306	2,792,778	11,560,710	2,023,999	1,293,348	21,122,903
Out-of-State Harness	419,675	486,267	892,878	2,230,952	474,489	591,202	5,095,463
<b>Total Payments to Out-of-State Tracks</b>	<b>2,431,437</b>	<b>1,926,573</b>	<b>3,685,656</b>	<b>13,791,662</b>	<b>2,498,488</b>	<b>1,884,550</b>	<b>26,218,366</b>
<b>Special Events:</b>							
Breeders Cup	93,319	40,505	77,789	252,241	60,469	45,344	569,667
Kentucky Derby	100,829	91,709	95,034	290,976	83,254	79,112	740,914
Preakness Stakes	64,972	59,313	58,528	191,666	51,403	56,244	482,126
<b>Total Special Events</b>	<b>259,120</b>	<b>191,527</b>	<b>231,351</b>	<b>734,883</b>	<b>195,126</b>	<b>180,700</b>	<b>1,792,707</b>
<b>Total Payments to All Tracks</b>	<b>\$ 16,385,888</b>	<b>\$ 11,103,751</b>	<b>\$ 23,121,010</b>	<b>\$ 88,226,709</b>	<b>\$ 16,024,598</b>	<b>\$ 11,710,397</b>	<b>\$ 166,572,353</b>

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