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00:00:10:07 >> Gentlemen, New York Racing, Pari-Mutuel Wagering and
00:00:13:22 Breeding Law section 102 provides that the New York State
00:00:16:17 Gaming Commission shall consist of seven members appointed by
00:00:19:17 the Governor by and with the advice and consent of the
00:00:21:24 Senate.
00:00:23:02 Six members having been confirmed by the New York State
00:00:25:10 Senate, affords the Commission an ability to establish quorum
00:00:27:22 and undertake action.
00:00:30:06 This present meeting of the Commission is now called to
00:00:32:17 order.
00:00:34:08 Ms Secretary, will you please call the roll?
00:00:36:23 >> John Crotty?
00:00:37:19 >> Here.
00:00:38:10 >> Mark Gearan?
00:00:39:05 >> Here.
00:00:39:24 >> Peter Moschetti?
00:00:40:17 >> Here.
00:00:41:11 >> John Poklemba?
00:00:42:05 >> Here.
00:00:43:02 >> Barry Sample?
00:00:43:24 >> Here.
00:00:44:19 >> Todd Snyder?
00:00:45:14 >> Here.
00:00:46:08 >> Ms Secretary, please have the record reflect that a quorum
of
00:00:48:01 qualified members are present, thus enabling the transaction
of
00:00:50:00 business.
00:00:52:18 Chairman Gearan?
00:00:54:02 >> Well, good morning, and thank you all very much for
joining us
00:00:57:04 here today.
00:00:58:00 I want to begin by welcoming and recognizing our new
00:01:00:19 commissioner.
00:01:01:21 Commissioner, welcome.
00:01:02:25 Thank you for answering the call to fellow service.
00:01:06:00 >> Good to be here.
00:01:07:05 >> And we look forward to welcoming you.
00:01:09:06 Given your background and perspective, I'm sure you'll add
00:01:11:16 immensely to our Commission so thank you.
00:01:15:01 >> Thank you.
00:01:16:01 >> I'd also like to take a moment to recognize that former
00:01:19:04 Racing and Wagering Board Chairman, John Sabini, suffered
00:01:23:13 a stroke 10 days ago so as we begin our duties here, we'd
send
00:01:28:05 our best wishes for a full and speedy recovery and all of our
00:01:33:17 -- .
00:01:34:10 So why don't we get right to work here.
00:01:36:20 We begin with the minutes of the Commission meetings that
were
00:01:39:21 conducted on March 12 and 31 of 2014.
00:01:42:13 They've been provided to members of the Commission in advance
and

00:01:46:23 I'd like to ask the members if there are any edits or
00:01:50:11 corrections or amendments to the minutes.
00:01:54:06 >> No.
00:01:56:02 Madam Secretary, please let the record reflect that the
minutes
00:01:59:27 were adopted.
00:02:03:09 Next in our agenda is the report of the acting executive
00:02:07:13 director, Rob.
00:02:10:06 >> Thanks.
00:02:11:08 I'd like to discuss two issues of potential interest today.
00:02:12:23 The first to apprise you of the activities of the Gaming
00:02:15:26 Facility Location Board and second to briefly discuss the
00:02:19:05 upcoming Belmont Stakes Day.
00:02:21:19 Since our last meeting on March 31, there has been tremendous
00:02:24:19 activity by the Gaming Facility Location Board regarding the
00:02:28:01 request for applications.
00:02:29:27 Following our meeting, the Gaming Facility Location Board
00:02:33:04 met and adopted the request for applications which was
released
00:02:36:18 that same day.
00:02:38:22 An initial set of questions were due from prospective bidders
by
00:02:41:09 April 11.
00:02:43:12 In all, including subparts, the questions totaled
approximately
00:02:47:07 475 and took some 90 pages to answer.
00:02:51:15 The next major activity was the payment of an application fee
by
00:02:55:07 an individual, entity, consortium or other party
00:02:58:16 evincing interest in responding to the RFA.
00:03:02:09 This fee was due on or before April 23.
00:03:05:17 Overall, the Gaming Facility Location Board received 22
00:03:08:12 separate fees.
00:03:10:15 The mandatory Bidders' Conference followed.
00:03:13:21 The purpose of this conference was twofold: one, as each
00:03:17:09 potential applicant was required to be represented, it
provided
00:03:20:25 the first public facing of an applicant.
00:03:24:03 It also allowed each potential applicant to ask questions in
an
00:03:26:26 open forum with the prospect that questions from one group
00:03:30:27 could spawn additional questions from another.
00:03:34:15 Unfortunately, virtually no questions were asked.
00:03:37:04 The media, however, did have an opportunity to interface with
00:03:40:16 each of the bidder representatives.
00:03:43:17 Another round of bidder questions followed, with
00:03:45:24 approximately 125 questions and subparts received.
00:03:50:02 The Gaming Facility Location Board met on May 12 to define
00:03:53:13 the minimum capital investment necessary for each region.
00:03:57:02 The minimums follow the application fee structure,
00:04:00:13 differing within each region, dependent upon location and
00:04:04:11 in-region competition.
00:04:06:23 The Board also clarified some provisions of the RFA, relative
00:04:10:03 to minority- and women-owned business enterprises.

00:04:14:13 Each entity that filed an application fee had an
00:04:17:15 opportunity to withdraw by a date certain and have their full
00:04:20:29 fee refunded.
00:04:22:26 Only two entities chose to withdraw, leaving 20 potential
00:04:26:21 applications to be filed.
00:04:29:05 The next item in the process is the filing of the
applications
00:04:32:10 themselves, and this is due no later than 4 p.m.
00:04:36:22 Eastern Daylight time on June 30.
00:04:39:14 The other item I'd like to talk about today is the Belmont
00:04:42:29 Stakes Day.
00:04:44:17 Obviously, the marquee event is 146 running in the Belmont
00:04:48:03 Stakes, where California Chrome seeks to become a Triple
Crown
00:04:51:16 winner.
00:04:52:19 Chrome is the 34th horse eligible to win the Triple
00:04:55:12 Crown.
00:04:56:18 Only 11 have succeeded.
00:04:58:26 The Belmont Stakes Day race card is phenomenal, with an
00:05:03:00 additional nine stakes races including five grade I events.
00:05:07:08 These include the Metropolitan Handicap, the Ogden Phipps,
the
00:05:11:21 Knob Creek Manhattan, the Longines Just a Game, and the
00:05:16:16 TVG Acorn.
00:05:18:29 In total, the 13-race card will be worth in excess of \$8
00:05:22:21 million, making it the second richest day on the North
00:05:26:13 American racing calendar, behind only the Saturday Breeders'
Cup.
00:05:32:00 In addition to the racing, NYRA has provided a variety of
other
00:05:34:21 entertainment performances scheduled throughout the day.
00:05:38:07 I would expect a very significant attendance.
00:05:41:00 The last 2 times there was a Triple Crown on the line saw
00:05:44:12 crowds exceeding 100,000, including a record 120,000 in
00:05:48:24 2004 when Smarty Jones was seeking immortality.
00:05:53:12 From our perspective, we will have additional experienced
00:05:56:09 personnel on site during the lead-up to the Belmont Stakes
00:05:59:14 Day.
00:06:00:20 NYRA and the Commission also continue the standard enhanced
00:06:03:18 security protocols for horses running in the four \$1
00:06:06:26 million-plus grade I stakes.
00:06:10:07 These protocols require all horses potentially participating
00:06:13:06 to be on grounds by noon on June 4 and be subject to
00:06:17:15 out-of-competition testing.
00:06:20:01 Trainers of the horses participating in the races must
00:06:22:29 provide complete veterinary records for 3 days leading up to
00:06:25:29 the race, which we will make public and, additionally, horses
00:06:29:22 will be monitored at all times from their arrival at the
track
00:06:32:11 leading up to the races themselves.
00:06:34:29 Chairman Gearan?
00:06:37:04 >> Great.
00:06:38:04 Any questions for Rob on any of his report?
00:06:42:07 Great.

00:06:43:28 Thank you, Rob.
00:06:45:00 Well, let's turn to rule-making.
00:06:47:10 the New York State Racing Pari-Mutuel Wagering and
00:06:50:05 Breeding Law 104.19 authorizes the Commission to promulgate
00:06:54:00 rules and regulations that it deems necessary to carry out
its
00:06:57:06 responsibilities.
00:06:58:29 So in that regard, the Commission will from time to
00:07:01:00 time promulgate rules and rule amendments pursuant to the
State
00:07:05:10 Administrative Procedure Act.
00:07:07:12 Today, we have five rule-making items for consideration and
00:07:11:24 we've asked Rob to outline the various proposals.
00:07:17:14 >> Items 4(a) and 4(b) are companion pieces.
00:07:20:17 Item 4(a) is an extension of an emergency rule-making
pertaining
00:07:24:26 to the Gaming Facility request for application and various
00:07:29:25 Gaming Facility license application forms which were
00:07:32:29 first adopted by the Commission on March 31 of this year.
00:07:36:23 This emergency rule was published in the New York State
00:07:38:23 Register on April 16.
00:07:41:26 The State Administrative Procedures Act allows adoption
00:07:43:29 of an emergency rule for a maximum of 90 days.
00:07:47:29 An emergency rule may be readopted but each such
00:07:51:00 re-adoption will be effected for a maximum of 60 days.
00:07:55:15 To file a re-adoption, action must be initiated to adopt the
00:07:58:23 rule as permanent, hence item 4(b).
00:08:03:15 Accordingly, for the Commission consideration is, one, a
00:08:06:15 re-adoption of part 5300 as an emergency rule, with such
00:08:10:29 re-adoption to be filed with the Department of State prior to
the
00:08:14:07 expiration of the emergency rule and, two, the proposed
adoption
00:08:18:25 of part 5300 as a permanent rule.
00:08:22:17 >> So, commissioners, any questions on the re-adoption of
00:08:27:12 part 5300 as an emergency rule or the proposed adoption of
part
00:08:34:05 5300 as permanent rules?
00:08:37:17 Any questions for Rob?
00:08:42:19 Any discussion?
00:08:44:18 So, well, why don't we, I guess, break it up for each part of
the
00:08:47:19 motion?
00:08:48:27 May I have a motion for re-adoption of part 5300 as an
00:08:54:08 emergency rule?
00:08:55:21 >> So moved.
00:08:56:23 >> Moved.
00:08:57:19 And second?
00:08:58:19 >> Sure.
00:08:59:16 >> Great.
00:09:00:15 All those in favor?
00:09:01:14 >> Aye.
00:09:02:12 >> Aye.
00:09:03:10 >> Opposed?

00:09:04:06 Right, motion carries.
00:09:05:06 Now we turn to the motion to adopt part 5300 as a permanent
00:09:08:22 rule.
00:09:10:15 And motion?
00:09:11:25 >> Moved.
00:09:12:24 >> Made.
00:09:13:23 And seconded?
00:09:14:20 Any discussion?
00:09:15:18 All those in favor?
00:09:16:13 >> Aye.
00:09:17:08 >> Aye.
00:09:18:06 >> Opposed?
00:09:19:06 Great.
00:09:20:01 The motion carries.
00:09:23:26 >> The next item on the agenda regards restrictions on
00:09:26:14 acceptance of public assistance.
00:09:29:17 Items 4(c) and 4(d) are also companion pieces.
00:09:34:14 The federal Middle Class Tax Relief and Job Creation Act of
00:09:37:16 2012 required states to put in place policies and procedures
to
00:09:41:25 prevent federal public assistance benefits from being
00:09:45:00 used in any electronic benefits transaction at designated
types
00:09:49:06 of businesses, including liquor stores, adult entertainment
00:09:52:28 establishments, casinos, racinos, race tracks, off-track
00:09:58:23 betting facilities, and bingo facilities.
00:10:01:19 To ensure compliance with the federal mandate, as part of the
00:10:05:14 legislation necessary to implement the Health and Mental
00:10:08:16 Hygiene budget for state fiscal year 2014/2015, the New York
00:10:13:23 Legislature restricted the acceptance of federal public
00:10:16:19 assistance benefits distributed by the state at such
locations.
00:10:21:04 The state legislation, which becomes effective on May 30,
00:10:24:08 authorizes the Commission to promulgate regulations on an
00:10:27:15 emergency basis to implement these restrictions.
00:10:31:12 The Commission and the predecessor agencies had for
00:10:35:00 years directed most relevant facilities that it regulates to
00:10:38:27 restrict EBT acceptance at all jurisdictions including video
00:10:43:16 lottery gaming facilities, race tracks, and off-track betting
00:10:46:23 facilities.
00:10:48:11 This rule-making generally codifies existing practice.
00:10:52:24 >> Thank you, Rob.
00:10:54:21 Commissioners, any questions regarding proposed emergency or
00:10:59:18 the proposed rule-making on these restrictions for public
00:11:03:06 assistance acceptance?
00:11:05:11 >> Not really a question about the material but why don't
they
00:11:08:05 leave it up to the states?
00:11:09:13 I mean, if they say, you know, why don't the feds leave it up
00:11:12:17 to the states?
00:11:13:26 Do we know?
00:11:15:28 >> Ed, would you?
00:11:17:04 >> Yeah, you know, my understanding of the way the

00:11:20:10 federal programs work is there's block grants that move to the
00:11:23:20 various states so it's a condition that the federal
00:11:26:18 government imposed upon the states in order to continue to
00:11:30:04 receive the funding on a year-over-year basis, the states
00:11:33:22 would have to demonstrate compliance with this federal law
00:11:37:01 that the states would have to restrict in the fashion that
00:11:41:11 we're doing.
00:11:44:10 >> It just seemed odd 'cause they seem to be able to dictate,
00:11:46:01 whatever, it doesn't matter.
00:11:50:08 I suspect that's right, --
00:11:52:16 >> Nature of this assistance, yeah.
00:11:55:09 >> Do you think we could impose it at the federal level and
just
00:11:57:06 have it decelerate?
00:11:59:06 >> No, honestly, if they block it out at the state level,
it's
00:12:02:01 federal--well, it doesn't matter.
00:12:05:15 >> It's a bit of a federalism issue.
00:12:07:09 The money's not actually coming directly from the federal
00:12:09:28 government, it's flowing from the federal government through
00:12:12:25 the states so it's the states that have to -- .
00:12:18:16 >> Interesting question of federalism.
00:12:20:03 >> Yeah.
00:12:21:15 >> Any other questions for Rob or others?
00:12:27:12 Okay, well, may I have a motion to adopt the proposed or
00:12:30:04 emergency rule-making on restrictions on acceptance of
00:12:32:21 public assistance?
00:12:35:18 >> So moved.
00:12:36:14 >> Made and--
00:12:37:10 >> Second.
00:12:38:07 >> Great.
00:12:39:00 Any discussion on the motion?
00:12:41:22 All those in favor?
00:12:42:28 >> Aye.
00:12:43:18 >> Aye.
00:12:44:07 >> Opposed?
00:12:45:06 The motion carries.
00:12:48:21 So secondly, the motion to adopt the proposed rule-making on
00:12:52:11 restrictions on public--this is the second part of --
00:12:56:09 separate.
00:12:59:02 Any discussion on that part?
00:13:00:15 >> I'm sorry, the first one was an extension of--
00:13:02:15 >> No, what was the initial emergency rule-making.
00:13:04:14 This is now for adoption of the policy.
00:13:06:24 >> Right.
00:13:08:08 >> The change to the statute?
00:13:10:13 >> Yes.
00:13:11:10 >> Okay.
00:13:12:13 So it's just to our regulations to conform with the state
00:13:15:07 statute, sorry.
00:13:18:02 Any questions on the motion or background?
00:13:21:13 Great.
00:13:22:11 Why don't we have a--motion's been made, I think, and

00:13:24:08 seconded.
00:13:25:05 Yeah.
00:13:26:13 Any further discussion?
00:13:28:06 All those in favor?
00:13:29:26 >> Aye.
00:13:30:26 >> Opposed?
00:13:32:10 The motion carries.
00:13:34:21 So the next item--we're working our way through here is an
00:13:38:23 adoption of a proposed amendment relative to the lottery.
00:13:43:22 >> Yes, the next item for consideration is the adoption of
00:13:45:18 a regulation governing the Commission's participation in a
00:13:49:08 new planned multi-state lottery game called "Cash For Life."
00:13:54:19 If you recollect, the Commission authorized proposed rule-
making
00:13:57:05 for this game on March 12, 2014.
00:14:01:06 Notice of the proposed rule-making was published in the
00:14:03:05 state register on April 9.
00:14:05:17 No public comments were received in regard to the proposal.
00:14:09:15 This new game would have drawings each Monday and
00:14:12:25 Thursday.
00:14:14:04 For each \$2 wager, a player may select 5 numbers out of a
field
00:14:17:17 of 60 and 1 number out of a field of 4.
00:14:21:12 Players could also wager by way of quick picks which allow
the
00:14:24:16 system to generate random numbers as selections.
00:14:27:20 Generally, the jackpot prize would be \$1000 a day for life
00:14:32:10 with the second prize being \$1000 a week for life.
00:14:36:07 As the game name suggests, the top two prizes would be paid
for
00:14:42:04 life.
00:14:44:09 Lower-level prizes would be one-time prize payments ranging
00:14:47:28 between \$2 and \$2500 in amount.
00:14:52:04 This Cash For Life game would replace the current New York
00:14:54:26 lottery game, "Sweet Million," which is also presently drawn
on
00:14:58:22 Mondays and Thursday evenings.
00:15:01:13 Sweet Million has had limited success and has experienced
00:15:04:04 slowing sales and declining consumer interest.
00:15:07:27 Based on other "for life" life-based prizes, we anticipate
00:15:12:08 the net effect for aid to education to be between \$8
00:15:16:17 million and \$9 million annually.
00:15:22:27 >> Any questions or discussions for Rob on this?
00:15:27:25 I guess, to begin, the other states, Rob, that will be
00:15:32:05 joining us?
00:15:34:02 >> On the line, we have Gardner Gurney who was the acting
00:15:36:14 director of the lottery and, Gardner, can you hear us?
00:15:40:10 >> Yes, I can.
00:15:42:15 Chairman Gearan, the other states that'll be joining us is,
00:15:47:27 when this game starts, approximately June 13, will be
00:15:51:14 New York and New Jersey, with the drawings occurring in New
00:15:54:28 Jersey.
00:15:55:23 There are other states interested, including Virginia,

00:16:00:09 Ohio, and some other states that may join after the end of the
00:16:04:01 calendar year.
00:16:07:23 >> And what's the timing on this?
00:16:09:16 When would we begin?
00:16:12:14 >> Plan at this point is to start sales on Friday, the 13th
00:16:16:00 of June, with the first drawing on June 16.
00:16:21:10 >> A lucky day.
00:16:22:22 >> Special Olympics that day.
00:16:24:03 >> Yeah.
00:16:26:23 >> Okay, other questions for Gardner, anyone would have?
00:16:34:22 So as I understand it, we discontinue this Sweet Millions
00:16:39:09 game and that is concurrent with this starting on June 13?
00:16:45:02 >> That's correct.
00:16:46:09 That game will end on Thursday the 12th and the new game will
00:16:51:03 start on the 13th.
00:16:53:15 >> I see.
00:16:55:27 Okay.
00:16:58:12 Any other questions on the regulation or the process?
00:17:05:08 Well, may I have a motion to adopt rule-making for the Cash
00:17:07:27 For Life lottery game?
00:17:11:11 >> So moved.
00:17:12:17 >> Moved.
00:17:13:05 Seconded?
00:17:13:27 >> Second.
00:17:14:27 >> Any discussion on the motion?
00:17:18:04 All in favor?
00:17:19:22 >> Aye.
00:17:20:15 >> Aye.
00:17:21:06 >> Opposed?
00:17:22:05 The motion carries.
00:17:25:06 Okay, so we are through all of the rule-making now at this
00:17:28:16 point?
00:17:29:12 >> Correct.
00:17:30:06 >> So we begin adjudications on the agenda.
00:17:34:21 And the Commission has four Carrying Officer reports for
00:17:38:27 consideration today.
00:17:40:25 I've heard from members of the Commission that the materials
00:17:45:25 for the Detrow and Kasimias consolidated hearing are
00:17:50:28 quite voluminous, understandably, and
00:17:54:08 additional time is necessary to properly
00:17:57:06 review the materials.
00:17:58:20 I think that is prudent.
00:18:00:11 So unless anyone objects here, I'd like to continue
00:18:03:05 consideration of that case until our next meeting.
00:18:07:22 We can talk about our scheduled meetings with more regularity
00:18:10:17 but, given the voluminous nature of this, it would seem
prudent
00:18:14:05 to schedule that.
00:18:16:00 So unless there's any objection to that, we'll put that
00:18:20:26 adjudicated matter to our next meeting but I'll ask Mr.
00:18:23:28 Williams to outline the first case.
00:18:28:02 >> Thank you.
00:18:28:22 The first case regards Gregory J.

00:18:30:18 Analora who was fined \$1000 and suspended--had his license
00:18:35:09 suspended for 365 days for allegedly assaulting another
00:18:38:21 driver, verbally abusing a racing official who tried to
00:18:42:05 restore order, and verbally abusing and making contact with
00:18:45:23 security personnel.
00:18:48:01 Mr. Analora appealed the sanctions and a hearing was
00:18:50:19 conducted November 14, 2013.
00:18:53:20 All members have had a--or received a copy of the hearing
00:18:56:26 officer report and have had an opportunity to review the
record
00:19:00:07 of the hearing.
00:19:01:21 Before consideration, however, I believe there is a legal
matter
00:19:04:09 regarding the hearing officer's recommendation that I think
is
00:19:07:09 best addressed by counsel Burns.
00:19:09:21 >> Yes, I think if the commissioners were inclined to
00:19:14:04 follow the gist of the hearing officer's recommendation,
which
00:19:18:13 essentially would end the suspension as of today, that the
00:19:23:01 minutes should reflect your decision to make it a specific
00:19:29:28 determinate time, in other words, the Commission should
00:19:33:22 not--I would recommend against saying--phrasing it as a time
00:19:38:25 served type of sanction but to say that the suspension runs
00:19:43:18 from the time it was imposed until May 27, 2014.
00:19:48:10 That would clarify the record for any subsequent, you know,
00:19:52:16 litigation that may ensue about it of what the actual length
of
00:19:55:13 the suspension was.
00:19:59:25 >> But the suspension has been stayed, right?
00:20:02:19 Is that correct?
00:20:03:17 >> It's currently stayed.
00:20:05:11 >> So he hasn't really had any time suspended?
00:20:07:04 >> No, no, he's--no, it's only stayed as of about 10 days
ago.
00:20:09:24 >> Okay.
00:20:10:20 So actually the period of suspension is essentially a
00:20:12:22 year.
00:20:14:07 Am I correct about that?
00:20:15:05 >> It would be--the period would be, for instance, if you
were
00:20:17:13 inclined to go with the hearing officer's recommendation, you
00:20:21:25 would be saying today that the suspension is an 11-month, in
00:20:25:27 effect, an 11-month suspension ending today.
00:20:28:17 >> And the hearing officer had proposed a 1-year suspension?
00:20:31:28 >> No, the track level suspension was a 1-year
00:20:35:04 suspension.
00:20:36:07 >> Right.
00:20:37:08 I'm sorry, not the hearing officer.
00:20:38:15 The original--
00:20:39:19 >> The original track level suspension was a 12-month,
00:20:41:24 365-day, suspension and the hearing officer recommended that
00:20:45:07 it be reduced upon payment of the fine.
00:20:49:02 >> Yes.

00:20:50:01 And there's a Commission rule for harness racing that
whenever
00:20:53:12 a fine remains unpaid, that's a separate basis to have a
00:20:57:10 suspension until the fine is satisfied.
00:21:00:14 So to separate the two, I think your record should reflect
that
00:21:04:27 you're upholding the fine if that's what you decide to do and
00:21:09:01 the suspension piece of it is a suspension through May 27,
2014.
00:21:16:20 And as a result of doing that, if the fine were not paid,
there
00:21:20:23 would be a suspension until the fine is paid but on account
of
00:21:25:19 the failure to pay the fine.
00:21:27:19 >> That's absolutely correct.
00:21:29:07 >> Yeah, okay.
00:21:30:17 >> Is there a separate procedure for that, Ed?
00:21:33:09 Are new charges filed for failure to pay the fine?
00:21:35:26 >> No.
00:21:37:15 It's not new charges but it's under a Commission rule that
00:21:41:00 when a fine's imposed and it's unpaid by rule, the licensee's
00:21:47:00 not allowed to participate in racing until the fine's
00:21:49:07 satisfied.
00:21:54:16 >> Any other questions for Mr. Burns on this?
00:21:59:07 >> So it is enough to have this within our motion as
modified,
00:22:05:02 to have the record reflect this?
00:22:06:25 >> Absolutely, yes.
00:22:07:25 >> That's how we get it?
00:22:08:29 >> Yes.
00:22:09:26 >> So I would suggest that the motion be phrased in terms of
00:22:12:25 upholding the fine and reducing the suspension to--and as of
00:22:19:18 today's date.
00:22:26:08 >> We have that for the records?
00:22:28:28 >> Yeah, I'll make a motion for the record, as Ed described
it,
00:22:33:22 to uphold the fine and to terminate the suspension
00:22:37:15 effective upon our vote.
00:22:40:09 >> So a motion's been made and seconded?
00:22:44:20 >> I'll second it.
00:22:45:24 >> Okay.
00:22:47:16 To adopt the hearing officer's report and confirm its
findings
00:22:52:05 and recommendations as modified.
00:22:55:14 Is that correct?
00:22:57:03 >> That would be satisfactory, yes.
00:22:58:14 >> Any discussion on the motion?
00:23:01:18 All those in favor?
00:23:03:03 >> Aye.
00:23:03:29 >> Aye.
00:23:05:02 >> Opposed?
00:23:06:11 The motion carries.
00:23:13:28 >> So Mr. Chairman, we're going to go past the next item.
00:23:15:26 >> Correct.

00:23:17:16 >> Yea, we'll put that to the next--
00:23:18:29 >> Very good.
00:23:21:21 >> So 5(c), in the matter of Luis A. Gutierrez.
00:23:26:11 This case regards an appeal by thoroughbred owner/trainer,
Luis
00:23:29:25 A. Gutierrez.
00:23:31:21 The state steward at Finger Lakes race track fined Mr.
00:23:35:02 Gutierrez \$1000 and suspended his license for 15 days
00:23:39:28 following a post race positive drug violation for a horse
under
00:23:44:18 his charge which ran in the eighth race at Finger Lakes on
00:23:47:23 October 14, 2013.
00:23:50:08 Specifically, the blood sample taken from the horse, eCoach,
00:23:53:26 showed an impermissible level of Flunixin in violation of
00:23:57:12 Commission rules.
00:23:59:02 Mr. Gutierrez appealed and a hearing was conducted on
00:24:01:23 November 21, 2013.
00:24:04:03 All members have received a copy of the hearing officer's
report
00:24:07:00 and have had an opportunity to review a record of the
hearing.
00:24:11:02 >> Would anyone like to discuss the report or its
00:24:13:01 recommendations?
00:24:16:02 >> In reviewing the Dutrow matter, the regulations provided
00:24:23:20 specific penalties for the milkshake violation.
00:24:31:09 Is there a specific penalty for this drug?
00:24:35:05 >> There's not.
00:24:39:28 >> So the penalty was in the discretion of the hearing
00:24:46:06 officer?
00:24:48:24 >> Ultimately, in your discretion but the
00:24:50:21 recommendation, yeah.
00:24:53:01 >> The recommendation I meant.
00:24:54:14 >> Yes.
00:24:55:17 >> And does he have any type of guidelines as to what type of
00:25:00:25 penalties are available?
00:25:03:22 >> Well, the hearing officer was a former member of the
Racing
00:25:06:22 and Wagering Board and, as such, had some experience with
00:25:11:11 adjudications of equine violations based on his
00:25:16:04 experience in that role and I believe that's what he drew
upon
00:25:20:21 in making his recommendation here.
00:25:23:25 >> I brought up at the last meeting that there's too broad a
00:25:26:28 discretion.
00:25:29:20 You can fine anybody from zero to \$25,000 on some of these
and
00:25:34:08 that we should look to have more specific penalties.
00:25:38:04 Since there's a very specific penalty for administering this
00:25:43:09 milkshake if you were to be found guilty of it, there should
00:25:46:14 be similar specific penalties for administration of other
00:25:50:13 drugs.
00:25:51:21 I don't see the reason to differentiate and maybe we
00:25:54:24 should have a proposed rule on that regard, Rob,
00:25:58:18 if the commission agrees.

00:26:00:25 >> I think some of the differences, the way they've
00:26:04:19 been set forth in the rules that we have now, is based on the
00:26:09:20 propensity to actually affect race performance.
00:26:13:14 Certain drugs are considered therapeutic overages, if you
00:26:18:28 will, if they're drugs that have time limitations that they
can
00:26:23:10 be administered up until, for example, 24 or 48 hours before
00:26:27:00 the race.
00:26:28:05 And there may be miscalibrations or overages and there's
00:26:31:04 certainly enough slack built into the rule that they would
00:26:35:29 have to be substantial overages that could affect race
00:26:41:26 performance.
00:26:43:01 In a TCO2 violation, I think the thinking behind the
00:26:46:04 establishment of the mandatory penalty was there is
absolutely
00:26:50:11 no therapeutic use or value to that type of alcoholization of
a
00:26:56:04 horse's body chemistry and therefore a strict sanction is
00:27:02:07 necessary for that type of violation, whereas these other
00:27:05:25 drugs, for example, in this case, there may be therapeutic
00:27:09:24 value, it's just a matter of the timing of when it's
00:27:12:11 administered.
00:27:13:11 So there, you know, it's not--there are differences among
00:27:17:04 the types of drugs and the types of violations.
00:27:19:19 >> So are you saying if it's therapeutic we don't need any
00:27:21:20 guidelines?
00:27:24:09 >> No, I'm not suggesting one way or another about
guidelines.
00:27:26:19 I think--I would suggest you don't need a mandatory sanction
00:27:31:04 for something that's a therapeutic overage.
00:27:33:24 There may need to be some discretion there to consider all
00:27:37:10 the facts and circumstances of the violation.
00:27:39:00 >> Yeah, I think John's just looking for some guidelines on
00:27:42:12 that exercise of discretion.
00:27:44:15 You raised it before.
00:27:46:11 Speaking for myself only, I agreed with you when you raised
00:27:48:25 it.
00:27:49:18 It seemed like we had so much discretion that in these
00:27:51:19 relatively small environments of the racing community, you're
not
00:27:54:25 quite sure what the motivations really are at any given time
and
00:27:58:22 we can't really know and so--
00:28:00:21 >> I would just want to make sure that similarly situated
00:28:03:00 people are treated similarly so that--
00:28:05:27 >> Mandatory minimum would achieve that, right?
00:28:07:28 >> If not, necessarily, the maximum.
00:28:10:26 He broke the rules, the guidelines, even if it was
00:28:13:27 reasonably benign, which would be the decision of the hearing
00:28:18:08 officer at all, we penalize him.
00:28:24:01 >> Rob, maybe what we ought to do is ask the staff to
consider
00:28:28:08 some guidelines and we can consider them when you guys have
00:28:31:15 put an option in front of us.

00:28:32:25 Does that sound fair, Mr. Chairman?
00:28:34:14 >> --
00:28:37:01 >> We can also provide a background paper as to how these
00:28:39:29 are all--
00:28:40:25 >> I'd be interested as to what is the legislative history
00:28:42:07 or what is the reason why we don't have--
00:28:46:12 >> Generally, you're thinking, like, the federal guidelines
00:28:48:08 which are now advisory so you have a guideline range?
00:28:51:08 >> -- similarly situated.
00:28:54:07 Even the penal law, you don't have this broad a range in
terms
00:28:57:22 of what you can fine or suspend somebody for, especially when
00:29:03:02 you're someone who did the exact same offense might
00:29:07:13 be suspended for 1 month and be fined \$50, whereas
00:29:12:10 someone who did it the next week may have a different hearing
00:29:15:25 officer who fines him \$10,000 and suspends him for a year.
00:29:20:14 >> This came up in a case where our discussion was focused on
00:29:24:14 exactly this issue.
00:29:26:09 >> Sure.
00:29:27:09 I understand.
00:29:28:19 >> So we'll leave that to you, Rob, and your colleagues to
come
00:29:32:11 back with a background memo.
00:29:34:12 >> We'll certainly be back--
00:29:34:27 >> Can I have just one follow-up question--
00:29:37:02 >> I'm sorry--by a vote.
00:29:39:04 I just want to understand, if you look at the findings of
00:29:42:18 fact, and hearing officer finds that Mr. Gutierrez is the
00:29:47:05 trainer of record.
00:29:48:23 If he finds that he understands who the trainer of record is
and
00:29:53:05 that there is an impermissible level of whatever the
00:29:56:11 impermissible drug is given in the case, is that all that the
00:30:02:25 rule requires?
00:30:04:06 >> It's that, we have what's called a trainer's
00:30:05:19 responsibility record where, in effect, the trainer is
strictly
00:30:07:21 liable for whatever is found in the horse.
00:30:11:17 >> Thank you very much, Ed.
00:30:16:21 >> Any other questions?
00:30:23:04 May I have a motion then to adopt the hearing officer's
00:30:24:23 report and confirm its findings and recommendations as
00:30:28:03 submitted?
00:30:30:29 >> So moved.
00:30:31:24 >> Moved.
00:30:32:15 Second?
00:30:34:00 >> Second.
00:30:35:27 >> Great.
00:30:37:00 Any discussion?
00:30:38:15 All those in favor?
00:30:40:03 >> Aye.
00:30:41:05 >> Aye.
00:30:42:04 >> Opposed?
00:30:43:02 The motion carries.

00:30:45:18 >> The last case regards an appeal by exercise rider, Robert
00:30:48:22 S. Messina.
00:30:50:21 The state steward at Finger Lakes race track fined Mr.
00:30:53:14 Messina \$100 for disregarding an instruction of the paddock
judge
00:30:57:17 and conducting himself in a disrespectful manner in
00:31:00:27 violation of Commission rules.
00:31:03:03 Mr. Messina appealed and a hearing was conducted December
00:31:06:03 9, 2013.
00:31:08:28 All members have received a copy of the hearing officer's
report
00:31:13:02 and had an opportunity to review the record of the hearing.
00:31:17:02 >> Anyone like to discuss the report or its recommendations?
00:31:26:21 >> I--
00:31:27:23 >> You're--go ahead.
00:31:28:22 >> You and I tend to have the same issues.
00:31:30:08 This one strikes me--as I understand it, there is not an
00:31:34:20 explicit rule against the conduct that gave rise to the
00:31:37:20 whole discussion, right?
00:31:39:05 Carrying an unlit cigarette, as I understand it.
00:31:41:17 Have I got the right case?
00:31:42:18 >> Hm-mm.
00:31:43:14 >> Yeah, so there's no explicit rule against that in the
00:31:45:12 paddock?
00:31:46:10 >> Right.
00:31:47:12 >> And I completely understand the need for civility and
00:31:48:26 decorum with respect to the paddock judge and I support that
00:31:53:00 wholeheartedly.
00:31:54:06 >> At Finger Lakes?
00:31:55:08 >> Anywhere.
00:31:56:11 [laughing]
00:31:57:11 Anywhere.
00:31:58:14 >> Especially at Finger Lakes.
00:31:59:15 >> Okay.
00:32:00:15 I just want to make sure that there isn't, you know,
something
00:32:04:21 just completely personal at work and I think we have to rely
on
00:32:09:24 the hearing officer to determine that.
00:32:12:26 But I just wanted to sort of observe--it strikes--
00:32:15:23 >> \$100 on a cigarette and a couple of wise-ass comments.
00:32:20:13 >> Yeah, who knows?
00:32:22:02 I mean, there is an allegation by the trainer--the trainer,
00:32:28:06 yes?
00:32:28:29 The exercise--the, who was it now?
00:32:31:02 >> Exercise rider.
00:32:32:07 >> Exercise rider, that there had been a history.
00:32:36:02 I think we have no choice but to assume that the hearing
officer
00:32:39:17 made his findings in light of that history?
00:32:43:07 >> Yes.
00:32:50:25 >> It's a bad precedent overturning these guys.
00:32:52:14 I think, I'll vote yes but, honestly, this one is a
00:32:56:28 borderline one at best.

00:32:59:02 But it's \$100.
00:33:04:25 >> Any other discussion or question?
00:33:13:10 Well, then, can I have a motion to adopt the hearing officer's
00:33:16:06 report, confirm its findings and recommendations as submitted?
00:33:22:01 >> I'll make the motion.
00:33:23:13 >> Motion's made.
00:33:24:09 And seconded?
00:33:28:23 >> Second.
00:33:30:07 >> Any more discussion?
00:33:31:21 All those in favor?
00:33:33:17 >> Aye.
00:33:34:17 >> Aye.
00:33:35:24 >> Opposed?
00:33:37:02 The motion carries.
00:33:39:13 So that concludes matters we had to do.
00:33:43:21 We can turn now to the Racing Fan Advisory Council
00:33:46:29 presentation, which is our next item on the agenda.
00:33:52:14 We've asked Rob to provide some background for the record on the
00:33:55:08 establishment and the purpose of the Council.
00:33:59:14 >> In September 2011, the New York State Racing and Wagering
00:34:02:06 Board formally created, I might add, at the urging of former
00:34:05:03 chairman, John Sabini, the New York Racing Fan Advisory Council
00:34:10:00 to provide input and advice to the Board, now the Commission,
00:34:13:26 on horse racing and wagering matters in New York State.
00:34:17:19 Upon establishment, the Commission explicitly continued
00:34:20:14 the Council's existence.
00:34:22:21 Members of the Council are required to be long-term racing
00:34:25:15 fans, selected on their involvement, interest,
00:34:28:19 knowledge, and devotion to the sport.
00:34:31:21 The Council has five members.
00:34:33:24 Three are appointed by Commission chairman; two are
00:34:36:06 appointed, one each by the chair of the Senate Committee on
00:34:39:28 Racing Gaming and Wagering, and one by the chairman of the
00:34:43:00 Assembly Committee on Racing and Wagering.
00:34:46:07 As outlined in the establishment directive, the Council's mission
00:34:49:23 is to grow the fan base related to the sport of horse racing by,
00:34:53:18 among other things, recommending procedures to ensure that the
00:34:57:20 opinion of the fan is a central part of the regulation of
00:35:02:03 horse racing and advising the Commission on issues related to
00:35:05:27 horse racing and wagering, advising the Commission on
00:35:09:27 appropriate actions to encourage fan attendance and wagering at
00:35:12:25 the state's thoroughbred and harness race tracks and the
00:35:16:04 state's off-track betting corporations, recommending
00:35:19:13 changes to the rules of the Commission and to the laws
00:35:22:06 affecting horse racing, and preparing an annual report

00:35:26:06 regarding the operation of the state's thoroughbred and harness
00:35:29:23 race tracks and the state's off-track betting corporations.
00:35:33:09 >> So my understanding is today a member for the Council will
00:35:36:16 present their annual report.
00:35:39:10 At this time, we're fortunate to have the Council's chair,
Mr.
00:35:42:28 Patrick Connors.
00:35:45:03 He is a professor of law at Albany Law School, has been an
00:35:47:18 avid fan of horse racing since 1989, has made several
00:35:51:09 presentations at our Albany Law School's annual Saratoga
00:35:55:05 Institute on racing and gaming law.
00:35:59:10 Professor Connors, welcome.
00:36:01:01 >> Thank you, Chairman Gearan, and thank you very much for
the
00:36:03:15 invitation.
00:36:04:20 With me, I have Michael Amo who is also a member of our
Council
00:36:07:28 and you may know Michael's also the chair of Thorofan which
is
00:36:12:08 the largest organization of racing fans in the country.
00:36:16:13 And on the line, we have Kelly Young, who is the Associate
00:36:20:03 Director of National Affairs for the New York Farm Bureau and
00:36:23:05 she's also a valuable member of the Committee.
00:36:25:24 If I could just highlight some of the proposals in our
report.
00:36:29:15 Number one, always a hot button issue, is that we are
00:36:34:00 recommending that the tracks reexamine their takeout rates to
00:36:39:04 see if that would have an impact on business.
00:36:43:12 The New York Racing Association has of last fall established
a
00:36:48:12 new bet, the Pick-5, with a 15% takeout rate, and that's
00:36:52:05 generated a lot of business if you compare that pool to some
of
00:36:55:28 the other pools.
00:36:56:27 Also, Tioga Downs has the lowest takeout rates allowed under
the
00:37:03:21 law and they've had a lot of success at their track with
00:37:07:14 that.
00:37:08:12 Michael, did you want to speak to another aspect of this?
00:37:11:17 >> I do.
00:37:12:20 Thanks, Chairman Connors.
00:37:13:28 I think that, as fans of the sport, that sometimes we're
00:37:17:11 misrepresented as what our role is.
00:37:20:15 I think we are equal stakeholders in the sport.
00:37:23:01 If you take the handle as a topic here, \$10 billion is taken
00:37:27:08 in handle every year across the country and if you
00:37:29:21 geographically take that to New York State, with a 20%
takeout
00:37:33:03 average blended, the fans put on the table \$500 million a
year in
00:37:37:16 waste when they walk up to the winder and their 20% takeout
is
00:37:40:27 taken for the operation of the track.

00:37:43:05 And so the takeout is critical to the fans in terms of their
00:37:46:17 ability to return a profit and to make money at the track.
00:37:50:08 And I think it's also a critical statement about how
important
00:37:54:07 fans are to the sport and to recognize as a stakeholder.
00:37:57:29 I think we notice that rarely in any board of directors does
a
00:38:01:09 fan and representative impact the entity and the county
00:38:04:23 accepted the Racing Fan Advisory Council which I would
probably
00:38:08:22 say to all of you is the only organization in the country
00:38:13:27 where fans have an input to the regulatory body.
00:38:17:20 And the New York State should be proud that Mr. Sabini
started
00:38:20:06 that process.
00:38:21:05 We're the only one to do that.
00:38:23:27 And I think that there should be some consideration.
00:38:26:13 I mean, even the NYRA Board, for example, has an ex officio
00:38:29:05 racing horseman representing the horsemen but there's no fan
00:38:33:19 representing them on that Board.
00:38:35:16 Finger Lakes and other tracks, OTB, none of those are really
00:38:37:26 represented and I think it's important we look at what fans
00:38:40:06 do as one of the three legs of the stool of racing.
00:38:43:24 Whether it be the horsemen or the tracks or the fans, we all
00:38:45:29 have an equal part.
00:38:47:18 And I think that's a message we'd like to add to that.
00:38:49:22 So when it comes to takeout, I think we should look at it.
00:38:51:21 There's debates about whether or not it's a good idea or not
to
00:38:54:24 raise it or lower it.
00:38:55:28 Everybody's study is weak or strong depending on your
00:38:59:07 statistical understanding but I think we should get that to
some
00:39:02:05 closure to decide whether it is an advantage to do it.
00:39:05:03 >> A second, I guess, major point in the report would be the
00:39:10:23 attendance at race tracks.
00:39:13:10 We're concerned that racing is more and more becoming a sport
00:39:17:21 run in abstentia and you see closings of race tracks
00:39:21:18 throughout the country.
00:39:22:25 And we make recommendations in our report to the tracks to
00:39:26:07 encourage fans to come on site.
00:39:29:23 That could be done through discounts with parking,
00:39:34:14 admission, wagering.
00:39:36:15 You see how casinos are able to do that and this again may
00:39:41:09 require some changes in the law but we think the tracks need
to
00:39:44:04 look at that.
00:39:45:11 Another part of our report addresses the price increases at
00:39:48:13 the NYRA tracks, namely at Saratoga and Belmont Park and
00:39:54:10 we're concerned about those because the attendance has gone
00:39:57:23 down.
00:39:58:22 I expect the attendance for the spring 2014 meeting at
Belmont
00:40:02:26 to be rather strong in light of the Triple Crown but, if you

00:40:05:27 look at the attendance figures, they are going down.
00:40:08:09 They are low and I think that puts the sport of horse racing
00:40:13:05 in a compromising position in dealing with the public and to
00:40:18:03 the extent that the tracks can reward the person who comes
00:40:23:08 through the gate.
00:40:24:06 One other interesting thing we've looked into--I mean, I
00:40:27:08 think it would require a change in the law, but this would
00:40:29:20 really, I think, bring out the wager.
00:40:32:08 If you could offer, on track, a wager that would not be
00:40:36:23 available at OTB or not be available through the phone or
00:40:40:18 the Internet, that might be another way to attract people to
00:40:44:18 the tracks themselves.
00:40:48:21 Michael, I think you wanted to speak to the issue of
00:40:51:21 handicapping contests.
00:40:54:10 >> Yes, Chairman.
00:40:55:20 We have a recommendation we should look at this as a state.
00:40:59:00 Across the country, handicapping contests are prevalent,
they're
00:41:02:22 growing.
00:41:04:21 Just about every weekend, you can participate and some of
them
00:41:06:25 are free -- some of them cost you money.
00:41:11:13 I participated in one sponsored by--a number of them, but the
00:41:15:14 one recently was sponsored by West Point Thoroughbreds and I
00:41:17:20 think, if I remember right, there was probably 10,000 fans
00:41:21:06 had signed up for the contest.
00:41:23:24 -- 1400 but, you know, I'm not very good
00:41:28:00 at doing that but I think it's an exciting
00:41:30:09 way to bring people into the game and let
00:41:33:10 them experience the game in a fun way and I think our state
00:41:36:17 rules limit our ability to do that.
00:41:38:16 NYRA does a great job at trying to run major handicapping
00:41:41:10 contests and those are for the big claims.
00:41:44:03 I think you need to think about ways you can do a lot more
00:41:46:09 activity year round.
00:41:49:11 >> Chairman Gearan, we conducted a public meeting last June
up in
00:41:54:07 Schenectady and we also had outreach at the race tracks.
00:41:57:29 We had a table at the Belmont Stakes last year.
00:42:01:08 We had a public forum on New York Showcase Day at Belmont
00:42:05:28 Park in the fall and then we had a public forum at Saratoga
00:42:09:16 Racing and Gaming on the harness side.
00:42:13:02 Something that we hear about frequently from the fans is
00:42:16:22 they're troubled by the odds changing after the race goes
00:42:20:24 off.
00:42:21:20 Now, this is--the races in Galway where you can purchase
00:42:24:14 your bet--
00:42:25:25 >> That's how you can tell who the winner is.
00:42:27:02 >> Yeah.
00:42:27:20 [laughing]
00:42:28:24 Yeah, and be guaranteed, you know, an outcome.
00:42:31:00 But that was a concern raised by many of the fans and we
thought

00:42:36:15 that maybe the tracks could do a better job to educate the fans
00:42:40:17 as to why that might happen.
00:42:43:12 You know, the score board is used throughout the day at the
00:42:46:12 various tracks to promote various parts of the track,
00:42:51:15 racing.
00:42:52:20 We think if there could be an educational component to that
00:42:55:28 presentation and in other venues to help educate the fans on why
00:43:00:29 that might happen.
00:43:02:21 Michael, did you want to add to that?
00:43:04:06 >> Yeah, I think, across the country, I think race tracks
00:43:08:03 think fan education is how to pick a winner.
00:43:12:24 And they miss the whole concept about the sport and what the
00:43:16:06 people need to know about the sport that leads into it.
00:43:19:01 We've run a number of education programs as my group,
Thorofan,
00:43:21:21 and the one thing I--the example I would give to you, I had a
00:43:24:08 woman come to an education program at Saratoga, raise her
00:43:27:07 hand, and ask me what the numbers in the starting gate
00:43:29:20 were for.
00:43:31:04 And immediately it told me how broad the knowledge is.
00:43:34:21 Yet most education at the tracks is, you know, who's gonna win
00:43:37:28 the trifecta, why is this horse gonna run better, rather than
00:43:40:26 some of the more basic stuff and I think we need to think about
00:43:43:09 is fan education a major component of track operations.
00:43:47:19 And maybe even part of the licensing agreement where, you
00:43:50:05 know, when you do it, you must have some type of education
00:43:52:18 program that addresses things like -- .
00:43:58:22 >> The next global issue, integrity in the game.
00:44:01:29 And this really came up in your agenda item 5.
00:44:04:26 The fans are very concerned about the penalties being
00:44:09:06 imposed on trainers, jockeys, and we're surprised, everywhere
00:44:15:06 we go, both on the harness side and the thoroughbred side.
00:44:17:29 That's something that the fans always voice concern over, the
00:44:21:20 alleged, you know, use of drugs on the tracks and they, I think,
00:44:26:18 want to know what's being done about it and, if there is a way
00:44:29:22 to better educate them as to the procedures and the penalties, I
00:44:34:07 think that would be very helpful.
00:44:36:00 We also wanted to know, we're encouraged that the Commission
00:44:40:01 has asked us to review the steward's procedures.
00:44:42:29 That's another very confusing part of the game for the fan
00:44:45:28 that comes, maybe, the fifth time to the race track and they
00:44:49:01 wager on a horse and the horse is taken down and there really
00:44:51:28 isn't a great explanation for why that's done.
00:44:54:24 And to the extent that we can educate the fans in that area,
00:44:58:09 we think it would be very helpful.
00:45:00:26 >> You know, just a comment.
00:45:02:03 As some of you know, some of the other tracks, Hong Kong is a

00:45:03:25 great example, is that they publish the steward's report at
00:45:06:02 length so if you wonder what happened you can go look that
00:45:09:14 up.
00:45:10:21 And we don't do it that well in New York or in the United
States
00:45:14:00 and so a fan could say, "Well, how come my horse was taken
00:45:16:11 down?
00:45:17:09 I don't know."
00:45:18:08 And then you really never get the answer.
00:45:19:09 You might get a media report of two or three lines but you
don't
00:45:21:00 get the answer.
00:45:22:15 And I think that--and under that, if you don't mind jumping
00:45:24:10 in, you know, I think that one of the things that we came up
00:45:26:27 with on integrity and it's in the report, is that there
should
00:45:29:05 be some type of real hot line where folks can call in if they
00:45:32:21 see something so under the aegis of "See something, say
00:45:35:23 something," on the track 'cause I think there's a lot that
goes
00:45:38:14 on that certainly the fans can see and say, "Hey, wait a
00:45:41:00 minute, we got a problem here.
00:45:42:24 Somebody should look into it."
00:45:43:27 >> And they should record it.
00:45:44:23 >> And they should record it.
00:45:46:01 Okay, you know, I mean, I think that there's just--we see
things
00:45:48:02 but, you know, you don't have an opportunity to say, "This is
a
00:45:50:15 problem," so I think that's a really good one.
00:45:52:14 And one of the things I would take the time to talk about and
00:45:54:16 I really compliment NYRA and the New York tracks is I'm on
the
00:45:57:28 Advisory Board of the NTRA's Safety and Integrity Alliance
00:46:02:09 which accredits race tracks across the country and I've been
00:46:05:26 on it for about 5 years and we develop the standards.
00:46:08:04 In New York, all the tracks are accredited and that's a good
00:46:10:11 thing.
00:46:11:20 I really think New York might take the lead and make it a
00:46:13:17 requirement and let other states know that we need to have a
00:46:17:12 national, you know, good housekeeping approval stamp by a
00:46:22:08 national organization of what we're doing.
00:46:24:00 It wouldn't hurt.
00:46:25:01 We're doing it already.
00:46:26:04 I think it would send the message to other people, "This
00:46:28:01 is an important thing to do."
00:46:29:27 And it's a rigorous experience.
00:46:31:03 I know Mr. Kay could probably express it.
00:46:32:23 It's a rigorous experience that we ask--that the
accreditation
00:46:35:21 process asks about.
00:46:38:16 >> Our next point would be the rewards programs at the
various
00:46:41:18 tracks.

00:46:42:10 Our recommendation is to bring the rewards down from, you know,
00:46:46:10 the -- are being rewarded but
00:46:50:15 we like to see programs that award the regular
00:46:53:13 fan who might be putting, let's say, even \$500 a
00:46:56:07 year through the windows.
00:46:59:16 It's some way to give them a reward, we think would help
00:47:03:02 establish a better fan base.
00:47:05:18 And I guess the last item would be a budget.
00:47:09:07 You know, these meetings that we have, the fan forums, we've
00:47:14:09 relied on NYRA's generosity and NYRA has been very helpful in
00:47:19:18 giving us space and Chris Kay, NYRA, has given us, you know,
00:47:25:09 the handouts, basically the calendars and things which
00:47:31:17 really the fans appreciate.
00:47:33:12 But we really are reliant on the tracks to get the word out
and
00:47:37:11 sometimes we're a bit handcuffed in promoting the events that
00:47:41:19 we're having so there is a recommendation in the report for
00:47:45:00 a budget.
00:47:47:00 Michael, did you want to add anything else?
00:47:49:13 >> I think just two things on that.
00:47:50:22 One of the things that we work with the Gaming Commission
00:47:52:15 staff, I think, on this is we thought about having the
00:47:55:16 founder's finish--I mean, excuse me, the farm award.
00:47:58:11 A non-monetary award.
00:48:00:02 And the whole idea behind that is that if you have a farm in
00:48:03:18 St. Louis county, what are you doing to promoting the sport.
00:48:06:28 Are you opening your breeding farm?
00:48:09:09 Are you opening your farm up so fans and local people can go
in
00:48:11:04 and see what it's about, learn about the sport?
00:48:16:02 Or why are we putting it on the back of the race track?
00:48:16:22 If we started thinking about ways that we can encourage other
00:48:19:15 parts of the racing industry to help talk about our sport, I
00:48:22:21 think that would be a good thing.
00:48:24:25 I know old friends up in Saratoga does something similar.
00:48:28:18 On New Year's Day, they have a birthday party 'cause every
00:48:31:03 horse turns a new age at that point and they invite fans to
00:48:33:04 come in.
00:48:34:00 And it's a wonderful experience and I thought what can we do
to
00:48:37:09 have something like that around the state.
00:48:39:09 Maybe make it competitive.
00:48:40:13 We tried to get started but it certainly takes resources.
00:48:42:23 Charlie Diamond and I have worked on that a little bit to
00:48:45:26 try to get it going but really it takes resources and one of
00:48:47:28 our members of the board, Michael Mills, has proposed a
00:48:51:05 symposium for fans in New York State that we would be able to
00:48:55:19 say, "Well, let's have an opportunity for fans to come and
00:48:57:23 learn about the sport.
00:48:59:02 Maybe they want to know what to do, how to place a bet."
00:49:02:15 Maybe they want to come to a central location.
00:49:04:13 It's certainly better than getting 20 or 30 people to come
00:49:07:13 on our forums if you get 300 or 400 people to come to a major

00:49:10:19 event.
00:49:11:09 Again, funding would be important.
00:49:14:06 >> And then finally, we'd like to take questions but we also
00:49:16:23 would like to acknowledge Lee Park's assistance, Chairman
00:49:20:02 Gearan, through our, I guess, we're in our third year now and
00:49:23:29 he really has helped us in innumerable ways.
00:49:28:14 Thank you.
00:49:29:24 >> Thank you.
00:49:31:07 >> Well, that's--your final point is no surprise to any of
00:49:34:11 us about Lee's good work.
00:49:36:14 But thank you for your report.
00:49:39:00 Probably you're doing--for follow-up, just a question.
00:49:42:10 So much of your mission is the educational piece of this,
00:49:44:29 greater awareness.
00:49:46:28 Where would you see that happen for a fan base to learn more?
00:49:51:25 How would you imagine this being executed?
00:49:55:03 >> Where would we see it?
00:49:56:04 Well, we think the tracks should be encouraged and you see
this
00:49:59:29 up at Saratoga.
00:50:01:08 They--I don't know if they had it last summer but, two
summers
00:50:03:24 ago, they had places where fans could go to learn about, you
00:50:08:15 know, how to place a bet for the, you know, the fan that--and
00:50:12:27 now actually, when NYRA changed their machines, they had
booths
00:50:16:21 set up at Belmont in the fall to demonstrate how somebody
could
00:50:20:12 place a bet with the new system.
00:50:22:14 But we think that that education could go to even a more
novice
00:50:26:01 fan base because it's very intimidating for the fan to come
00:50:30:14 into the track for the first, second, time and seeing all
00:50:32:18 these numbers.
00:50:33:25 If we had something for them.
00:50:35:19 Or even if they sit through a session and they get a \$5
00:50:37:25 voucher or something like that, that might be a way.
00:50:41:12 We also think we could do it on site and Michael's point, the
00:50:43:26 Daily Racing Form has a big convention in Vegas every year
00:50:47:21 and they have their riders and handicappers and educate the
00:50:51:19 fans.
00:50:52:26 I think there's a way that we could have a similar conference
00:50:56:04 in New York which is really, you know, the center of
thoroughbred
00:51:00:14 racing in the country, where we could draw fans in and
provide
00:51:05:08 education at that.
00:51:07:18 >> Just to mention, you know, when we think a little bit
about
00:51:10:09 -- to the race track operators, marketing has their
00:51:13:27 goal and we understand what that is
00:51:15:21 but it's not necessarily good education.
00:51:18:08 And I think that's where we're down.
00:51:19:16 And when you get to education, you go down the budget, you

00:51:21:11 know, priorities for getting here, I suspect, fan education
00:51:24:07 falls a little bit down near the bottom.
00:51:26:04 And we need to be thinking about it, you know?
00:51:27:26 We need to have educators who know how to teach a lesson, to
00:51:31:16 teach somebody.
00:51:32:16 Tom Amello who's up in Saratoga used to do a TV show, a
retired
00:51:36:13 schoolteacher, involved in our organization, you know, talks
00:51:39:20 about doing lesson plans, how do I teach new fans, as opposed
to
00:51:43:11 "I'm a marketing guy and I'm just gonna come out and tell you
00:51:46:25 who's gonna win."
00:51:47:28 You've got to think it through.
00:51:48:25 I would think that the track should have some type of a
00:51:51:01 venue, whether it's a, you know, onsite tent or an onsite
00:51:54:27 opportunity where a real education program is put out.
00:51:59:19 The fans who don't know what the starting gate numbers are
can go
00:52:03:12 and ask those questions without being embarrassed.
00:52:05:23 And I think you've got television opportunities.
00:52:08:23 I think you got Internet opportunities to do
00:52:11:02 interactive--and some of it's not being done.
00:52:15:13 >> From your perspective, Michael, you said the fan
00:52:17:16 information base might be different than the track's
00:52:21:15 marketing base.
00:52:25:13 How do you see that play out?
00:52:29:01 What's the difference in your mind?
00:52:30:28 >> Simply said, I think the marketing job is to get people
00:52:36:23 to sit in the seats, come to the track, and meet their goal
of
00:52:40:12 investing in it.
00:52:42:14 I think education is a more long-term effort.
00:52:44:22 How do you find folks going into the sport, that they might
want
00:52:47:18 to learn to that--they might want to learn more about the
00:52:50:04 sport.
00:52:51:00 Maybe someday, they'll want to be an owner, join a
partnership,
00:52:54:06 so it's a whole--teaching them about the sport.
00:52:57:07 We did a program--my group did a program in Saratoga 3 years
ago
00:53:02:09 at the Fasig-Tipton's stable and we called it "From the Farm
to
00:53:06:01 the Finish Line."
00:53:07:22 And we got over 400 people, about 400 people, came on a
00:53:10:05 Sunday morning to that venue to listen to speaking.
00:53:13:09 We had interesting speakers.
00:53:14:12 We just were the promoters of it.
00:53:15:24 We had Cates Clay from Three Chimneys speak about the
00:53:20:01 breeding aspect.
00:53:21:12 We had Wayne Lukas talk about, as a trainer, he was a
00:53:24:13 person--we had Meg Levy talk about how do you sell a horse,
00:53:26:26 what do you do in that process?
00:53:29:00 And of course, our star was Bobby Flay who was our speaker

00:53:32:10 on being an owner.
00:53:34:09 And then, I mean, it was fantastic.
00:53:36:14 Meg Levy brought a yearling on the stage and actually showed
00:53:41:08 conformation to 400 people who probably would never be that
00:53:44:16 close to that experience ever before and she was measuring
00:53:47:12 conformation and showing the design and everything.
00:53:50:16 It was so informational to people and feedback we got was
00:53:53:17 terrific.
00:53:54:18 It had nothing to do about who you were gonna bet on that
00:53:56:08 afternoon.
00:53:57:04 It was introducing you to the sport and I think if we invest
00:53:59:20 in that, we're gonna build our base, which is what I think
our
00:54:02:27 group and I think we're trying to--how do we build a base?
00:54:05:12 >> How is that different than, say, NYRA's marketing?
00:54:08:26 Aren't they trying to build a base?
00:54:11:09 >> Well, I'm sure they are.
00:54:12:11 I would have to ask Mr. Kay to respond what his goal is.
00:54:14:24 >> Or the Breeders' Association.
00:54:17:08 >> Yeah.
00:54:18:05 >> I think everybody's trying to do it for different reasons,
if
00:54:19:13 you understand.
00:54:20:16 >> I think NYRA is trying to build a base but if you get on
00:54:22:29 the website and you look at the majority of what they're
doing
00:54:25:13 is to attract somebody who's already involved in the sport
00:54:30:13 and is already wagering.
00:54:33:04 Most of it is at that end of the spectrum, whereas something
we
00:54:37:07 see is we believe that the sport needs new customers.
00:54:41:26 Now, the tracks are all doing that to a degree.
00:54:44:02 I think Tioga's doing a great job of that because they've got
00:54:47:03 a fan base together up there without a history of a track in
00:54:50:18 that area but we think that that's something that the tracks
00:54:53:29 could do more of.
00:54:55:27 And if, you know, look at NYRA, if you look at their--you get
00:54:58:16 online, you see, you know, Andy Serling, I can understand
Andy
00:55:02:09 Serling but sometimes it's difficult, you know, somebody
00:55:05:16 walking in the door.
00:55:06:22 I take my wife to the track.
00:55:08:09 She doesn't understand Andy Serling.
00:55:10:14 My kids don't understand Andy Serling.
00:55:12:09 It's trying to get to those people.
00:55:15:08 And I, you know, it's another thing we've talked about and
00:55:17:05 people have brought it up where you want the sport to be such
00:55:20:13 that it's something that you can take your significant other
and
00:55:25:17 children to and it doesn't have a, you know, I guess some
kind
00:55:31:03 of, you know, a dark cloud hanging over it.
00:55:36:07 >> I think one of the persons at Saratoga, they actually said
to

00:55:38:09 us, "Please help us with the image."
00:55:41:08 They said, "If I'm a horse player and I go to the track,
00:55:43:26 somehow I'm considered less than," and I responded, an
00:55:48:29 example, I say to people that I'm not a golfer.
00:55:52:04 But a lot of friends who are.
00:55:53:25 And on Saturday they go out and golf and their 19 holes and
all
00:55:57:18 the things they do.
00:55:58:20 I decide to go to Belmont and I take \$200 or \$500 with me to
00:56:02:17 Belmont and I have a terrible day and I lose it all.
00:56:05:06 My friends go to the golf club and they spend \$500 that day.
00:56:09:21 They come home and their significant other says to them,
00:56:12:13 "Did you have a good time?"
00:56:14:00 What do they say to me?
00:56:15:03 Did I win?
00:56:16:27 What do you care?
00:56:17:20 I had a good time.
00:56:18:16 It was my entertainment.
00:56:19:26 And I think that's part of the image that we need to direct
00:56:22:13 them in -- but I mean it's part
00:56:24:00 of the entertainment I think Mr. Kay is trying
00:56:26:22 to develop when he talks about the fan experience and I
00:56:29:06 think that's really trying to make you feel like this is an
00:56:31:08 entertainment venue.
00:56:32:11 This is something we should enjoy, it's not just a way to
00:56:35:29 make money.
00:56:36:20 I tell people when I write my articles, like, keep the day
00:56:38:28 job, you know, keep the day job.
00:56:41:03 This is just fun.
00:56:43:04 >> Do you represent the fans at Aqueduct as well?
00:56:45:09 >> Well, all over the country.
00:56:46:17 We, you know, it's not an individual.
00:56:48:10 We have 700, 800 members that are active members.
00:56:51:20 We have a mailing list about 1000.
00:56:53:26 We have chapters in New York City, Monmouth Park, South
00:56:57:23 Florida, Saratoga Springs, and Southern California, we have
00:57:01:24 groups.
00:57:03:02 And those groups.
00:57:04:05 And we have a base of fans and we do a weekly newsletter and
a
00:57:06:03 website and try to do meet-ups at the track and try to
00:57:09:15 encourage people to get together.
00:57:11:11 We give an annual award every year to an industry person who
00:57:15:26 we think has promoted the fan base the most.
00:57:18:05 We do it at Gulfstream Park every year in January, the
00:57:21:22 Eclipse Awards.
00:57:22:19 We're the fan event down there and we draw 100 or so members
00:57:26:24 that come to the group.
00:57:27:25 Our first awardee was Patrice Wolfson, who you all know is
the
00:57:30:29 owner of Affirmed and she was our first awardee and last year
00:57:34:16 we gave it to Cot Campbell who has Palace Malice and has done
00:57:37:25 so much to bring fans in.
00:57:39:21 We're coming up on our third year, trying to find our next

00:57:42:17 awardee.
00:57:43:08 But we try to go out and reach out to people and say, "Here's
00:57:45:17 the people who help us do what we wanna pass."
00:57:48:24 >> We had a fan forum in Aqueduct.
00:57:50:13 I think it was the first one we had.
00:57:52:03 And, you know, 6 months of the year the racing is conducted
00:57:56:11 there and we still hope that somehow that venue can be used
00:58:04:21 to attract fans and bring fans.
00:58:06:22 So the largest restaurant in New York City is the restaurant
00:58:09:25 there at Aqueduct, as far as I know.
00:58:14:01 And if there's a way, you know, you got all those people
going
00:58:17:14 out there.
00:58:18:17 They're right next door and it's hoped that you could somehow
use
00:58:22:13 that opportunity, get them on the other side.
00:58:25:18 You won't see it to the extent you see it at Saratoga but an
00:58:28:14 increase there would be something, I think, would be
00:58:31:16 welcome, given that racing's run there for 6 months out of
the
00:58:34:25 year.
00:58:37:04 >> You talked about an on-track wager only as a way of
00:58:40:29 attracting folks to the track.
00:58:43:12 What would that look like?
00:58:45:09 And is that done any other place?
00:58:48:04 >> We haven't seen it done at any other place.
00:58:50:28 It would be a wager where the takeout essentially was lower
or
00:58:54:01 maybe you could come up with a wager that's just attractive
but
00:58:57:26 not offered, you know, you have these rainbow wagers that are
00:59:03:27 available at tracks outside of New York, something like that,
00:59:07:08 where you could have a lower takeout and/or a unique wager
00:59:12:03 that you couldn't find elsewhere to encourage people to come
out
00:59:15:09 to the track.
00:59:16:13 >> Yeah, I think if you saw the rainbow 6 down in Gulfstream
00:59:18:17 parking, it's not--it's been a success.
00:59:20:26 \$0.20 bet and it's somewhat lottery-like because even if
00:59:23:21 you picked the 6 winners you've got to be the only
00:59:25:08 winner to collect.
00:59:26:27 And if you don't, you only get a percentage of the pool.
00:59:28:17 Well, the -- is almost \$7 million on it.
00:59:31:06 A gentleman hit it on Sunday for \$0.20.
00:59:34:05 \$0.20 got him \$7 million.
00:59:36:13 He got lucky.
00:59:37:21 >> Great story is the guy that essentially won it but he bet
it
00:59:40:14 twice so there wasn't only one winner.
00:59:42:11 He didn't collect.
00:59:44:19 But--
00:59:45:15 >> You're identifying a group of non-betting fans?
00:59:49:01 >> 'Scuse me?
00:59:50:01 >> Is there an identifiable group of non-betting fans?

00:59:54:19 >> Unfortunately, yeah.
00:59:55:20 >> A lot of folks go to a ball game and they bet, you know,
00:59:57:18 some people go to a ball game and watch the ball game.
00:59:59:15 Is there identifiable significant group of individuals
01:00:01:16 who go to the track to watch the races as a sport?
01:00:05:11 >> Absolutely.
01:00:06:03 It's diminished.
01:00:07:02 When Secretariat was retired, he went out to Aqueduct.
01:00:11:14 I think they conducted a program at 10 o'clock in the morning
on
01:00:15:15 a weekday and I think they had several thousand fans there.
01:00:19:03 There was no wagering or anything going on.
01:00:21:06 But, yeah, we do hear from those people that come to the
track
01:00:24:16 and they're just there for the experience.
01:00:26:20 >> For the sport, yeah.
01:00:27:15 >> Exactly.
01:00:28:06 Just for the sport and I think that group is diminishing.
01:00:31:14 I think we need to do something to build that group up.
01:00:34:11 >> And that shrinkage you attribute to what?
01:00:40:05 >> I think that a lot of it's the perception of horse racing
01:00:43:05 and I think a lot of it is if you're a fan and you're not
01:00:47:09 wagering and you go, there's not a lot offered to you.
01:00:51:11 There's little things like, Mary--what's Mary's last name,
01:00:55:22 that does the morning--
01:00:56:17 >> Mary Ryan.
01:00:57:14 >> Mary Ryan does a great program in Saratoga in the
01:00:59:21 morning where, you know, you go, you can bring your breakfast
in.
01:01:03:06 I bring my kids there.
01:01:04:25 She talks about the horses, she identifies the horses which
is
01:01:07:24 important.
01:01:08:15 Then she gives away posters and things like that.
01:01:10:12 You know, my kids, other children, families, they love
01:01:13:01 it.
01:01:13:22 And the tracks need to do more to promote that, you know,
that
01:01:17:12 family experience and the fan experience.
01:01:19:20 >> I think our group has a larger percentage of women
01:01:23:07 members and we really expect that as a percentage of people
01:01:26:08 who like the sport and a lot of them are owners.
01:01:29:04 They're part of the partnership movement, they like
01:01:32:08 to be part of it.
01:01:34:16 They want to take care of the aftercare so they're involved
in
01:01:36:06 getting involved in that.
01:01:37:04 And they like to go to the races and enjoy it, you know.
01:01:39:22 On the other hand, we've got to try to--we always try to
01:01:42:14 encourage them to place a wager 'cause that's how we fund the
01:01:43:24 industry so you got to do a little bit of both to make the
01:01:46:23 industry succeed but--
01:01:48:09 >> But the kids can learn but they may have an interest in
the

01:01:50:10 races.
01:01:51:11 >> Yeah.
01:01:52:11 Yeah, and they do.
01:01:53:08 >> And on that, just something that, you know, you hear.
01:01:56:07 It's a lot less expensive to go to a race track than it is to go
01:02:00:09 to a Yankee game or a Met game and, even if you do wager a
01:02:05:21 reasonable amount.
01:02:07:11 And if we could somehow reach those fans who either are not
01:02:11:21 gambling or, you know, with an idea that they might gamble
\$20
01:02:15:27 and go to the race track and highlight that, yeah, it's a
01:02:19:24 great experience and it's a lot less expensive than going
01:02:23:28 elsewhere.
01:02:24:27 I think a big part of that, you see it at Saratoga when the
01:02:27:27 jockeys walk through the crowd, is the contact with the fans.
01:02:32:16 And the more the sport can, you know, encourage that where
the
01:02:36:07 fans are right there, you know, close enough to the horses
with
01:02:38:27 the jockeys, you know, the owners, the trainers are all
01:02:42:00 there.
01:02:42:19 That's something you don't get in a lot of the other sports
01:02:44:13 today.
01:02:48:01 >> My family is a classic example of what you're talking
01:02:50:06 about.
01:02:51:14 When my children were little and we were in Saratoga, we took
01:02:54:25 them to the track.
01:02:56:12 I was not a better, I wasn't a better then.
01:02:58:09 It is intimidating to the non-better 'cause you're not
01:03:02:16 sure what to do so you avoid the tellers who are very helpful
if
01:03:05:09 you get yourself up there but you just have to get yourself
up
01:03:07:07 there.
01:03:08:05 And we had the added advantage of being surrounded by
horsemen
01:03:11:20 because of where we lived but, over time, for us, we were
able
01:03:16:19 to learn the system.
01:03:18:02 My children went, it was like a festival for them.
01:03:21:14 And then they grew up and we bought horses off the track,
01:03:28:09 retired horses or took them and own them now just to ride
them.
01:03:33:00 But my children are now older and they can go and bet and
they
01:03:36:01 bring their friends, their college friends but it was a
01:03:39:05 slow process.
01:03:40:16 I was thinking your idea if there were areas on the track of
01:03:44:10 Saratoga where almost like someone was walking who could
01:03:48:24 talk to people about, you know, if you want to place a bet,
this
01:03:51:20 is the way to do it, it's really simple, this is what you say
to

01:03:53:22 the teller, you know, they'll tell you exactly what you need
01:03:57:04 to do.
01:03:57:23 Not the sophisticated bets, but they have to start somewhere,
01:04:01:07 right?
01:04:02:13 And I think that's a fabulous idea.
01:04:05:12 'Cause you have to seed because the sophisticated betters get
01:04:10:12 older and then they go away.
01:04:12:23 There's a rate of attrition there.
01:04:15:15 So, you know, you have to have new blood to be interested in
01:04:18:10 it.
01:04:19:08 And the second thing to me, from what I hear and from the
circles
01:04:22:02 that I come from, there's the two big concerns are drugs and
01:04:28:20 the way the horses are treated, whether--it's just a
perception
01:04:32:14 and, you know, when something goes wrong, it's sometimes
blown
01:04:36:21 out of proportion but it's front and center, that is a big,
big
01:04:40:10 concern of non-attendees and attendees and then what happens
01:04:45:26 to the horses after, when they're done, which is a big
01:04:48:18 problem.
01:04:50:01 There's only so many, a finite number of people that can take
01:04:53:22 all those horses, right?
01:04:55:02 It's not easy to sustain a horse after they're done.
01:04:57:14 So I think if, somewhere along the line, we can address those
01:05:00:21 and address them seriously, I think the sport's in a better
01:05:02:27 shape.
01:05:03:21 >> Just a comment on the aftercare, not that it--the
01:05:06:21 -- Jack Wolf from, you know, Starlight Stable
01:05:10:09 -- little heads up what we call the Thoroughbred
01:05:15:10 Aftercare Alliance and I sit on the advisory board.
01:05:18:11 My background is in healthcare and I did a lot of Joint
01:05:21:06 Commission accreditation stuff and helping hospitals get
01:05:24:04 accredited.
01:05:24:24 So i write standards so I sort of got the role of sitting in
01:05:27:21 this group to learn how to write standards.
01:05:29:17 How do you write a standard, you know, and that's how I can
write
01:05:31:25 it.
01:05:32:21 But it's exciting.
01:05:33:11 We've raised, I don't know, probably \$5 million in the last
01:05:36:08 year and we're accrediting farms across the country so they
can
01:05:39:26 take the horses and we can help pay for it.
01:05:42:12 It's a great idea and I think it's growing across the
country.
01:05:47:02 Tracks are participating --
01:05:49:18 It's a big issue.
01:05:50:07 And I think fans want to see that, they really do.
01:05:52:01 They don't like to see --
01:05:54:10 >> I think they want to see what's happening from the
01:05:55:23 breeder to the owner and then what happens afterwards and who

01:06:00:19 is responsible for the care of the animal because that's a big
01:06:03:21 concern.
01:06:05:06 And I'm a big fan of racing.
01:06:06:20 I mean, I love the track.
01:06:07:26 I think it's a great thing and I'm a big fan of horses but I
01:06:10:11 know I hear that concern constantly.
01:06:13:04 Also a concern that, you know, there's a lot of fundraising
for
01:06:16:18 that but why is that necessary when maybe that's the
01:06:20:10 responsibility of the industry.
01:06:22:03 And I know that's an expensive venture and, owning horses, I
01:06:26:11 know it's a very expensive venture from the vet to the
01:06:31:14 ferrier to the feed to the, you know, to the board to
whatever
01:06:34:06 you have so.
01:06:35:07 >> There's a small partnership that friends of mine are
01:06:38:28 involved in called Mosaic Stables and nobody really wants
01:06:42:16 to make money, it's all friends.
01:06:43:23 And they put a 401k together when you buy the horse.
01:06:47:11 When you buy into it, they set aside a certain amount of
money
01:06:49:11 for aftercare.
01:06:50:13 And so much of the purse money goes into that fund so if the
01:06:52:18 horse is no longer able to run you can give him away along
with
01:06:55:16 some money to say, "Here, take care of it."
01:06:58:13 It's a good idea.
01:06:59:24 >> I heard talk about annuities.
01:07:01:00 >> Yeah, yeah, that's right, same thing.
01:07:02:13 That's--we're not as sophisticated but it's--
01:07:05:16 They know what they're doing.
01:07:06:14 It's a good idea.
01:07:07:10 And you've got to take that responsibility.
01:07:08:16 >> You raised two points I just wanted to follow up on.
01:07:12:11 You were talking about the perception, I guess, in the fan
01:07:15:21 base or whomever it is that you generally are speaking for, I
01:07:20:15 think it's the fan base, that there was a lack of
transparency
01:07:23:26 in the rulings and the stewards and the discipline in the
01:07:27:04 paddock and on the track, et cetera.
01:07:29:23 Is there concern, and maybe there's no answer to this, but
01:07:32:25 is there concern that decisions are arbitrary and too
stringent
01:07:38:12 or that there's too much leniency?
01:07:40:15 I didn't understand the comment when you made it.
01:07:42:09 I just wanted to make sure I understood what you were saying.
01:07:43:20 >> I'm recalling specifically, Michael, when we were up at
01:07:46:07 Saratoga Racino, some of the people there, and again, these
01:07:50:12 are the harness fans, they were very upset that the word was
01:07:55:12 that various trainers were clearly using illegal drugs or
01:08:00:23 methods with their horses and they weren't being punished for
01:08:04:13 it.
01:08:05:10 >> So the concern is for more stringent enforcement?

01:08:08:10 >> On that end, yes.
01:08:09:24 I think as far as--there's another group of fans, though,
01:08:13:17 that are concerned about, I think, transparency and clarity
01:08:18:00 with regard to rulings at the track.
01:08:19:29 Like why a horse might be taken down.
01:08:22:11 These are usually the regular customers.
01:08:25:11 They're more concerned with the clarity in the rules
regarding
01:08:30:25 the racing and why the stewards are very specific as to why a
01:08:34:21 horse would come down.
01:08:36:24 >> Yeah, I think it's, you know, it was that old management
axiom
01:08:39:13 "Without the facts, you get rumors," and I think that's
01:08:42:04 the thing.
01:08:43:02 If you don't put the facts up, people will create their own
01:08:44:05 facts.
01:08:45:02 >> They'll fill in the space themselves, yeah.
01:08:46:07 >> You know, and there's nothing more frustrating to go into
the
01:08:48:03 ninth race at a race track and be alive in the Pick-4,
looking
01:08:51:26 at a \$3000 ticket, get a photo finish and wonder why you
lost,
01:08:56:10 you know, you go, "How did I--" And I had, the Florida Derby,
I
01:08:59:27 had three horses.
01:09:00:27 I got beat by a horse in a \$4000 Pick-4, you know, and "Why
did
01:09:05:08 that happen?
01:09:06:02 You know, how did he--did he really get by?
01:09:07:13 Didn't he shove him?"
01:09:09:02 I don't know the answer to that question but the average fans
01:09:12:03 are gonna go, "There must be something wrong, I didn't win."
01:09:14:13 >> Spread wide is the point I'm making.
01:09:16:05 >> I'm not saying it's wrong but--
01:09:17:11 >> Should have spread more on the last leg.
01:09:18:15 >> I should--
01:09:19:06 [laughing]
01:09:20:05 I only went four deep.
01:09:20:26 I should have gone there, right?
01:09:21:27 >> Yeah, see?
01:09:22:16 There was one other point that you raised.
01:09:23:11 I just wanted to give you a chance to help me understand it.
01:09:27:17 When you made the comment about the takeout.
01:09:30:23 The way I understood it when you first said it was that it's
the
01:09:34:12 takeout that has the ability to improve the fan experience.
01:09:39:27 Did I understand you correctly, Michael?
01:09:41:14 I think you said that.
01:09:42:10 >> Yeah, I think, yeah, to a degree.
01:09:43:28 I think it's--and maybe it's more a smaller segment of the
01:09:47:15 whole.
01:09:48:28 We hear about churn.
01:09:50:09 If somebody has less money taken out, you're likely to put it

01:09:52:28 back in the window, you're likely to have more money coming
01:09:55:11 back in and you feel like you're into it.
01:09:57:14 I think at the same time, the larger players which we're
01:10:00:17 claiming against, you know, can go offshore, get all kinds
01:10:03:23 of benefits from them and -- our takeouts.
01:10:06:21 So it's just looking at it and then the idea we've heard from
01:10:08:26 horsemen is that, you know, if the take the take, reduce the
01:10:12:00 takeout, it's gonna be less revenue for us, you know, if
01:10:15:13 we're taking 20% off the top, on the average, it'll be less
01:10:18:25 revenue.
01:10:19:11 I understand that.
01:10:20:05 But there are people who've said that they can prove that
that
01:10:23:01 generates more handle and there's people will say that
01:10:26:11 that doesn't make any sense.
01:10:27:17 >> Right.
01:10:28:08 >> But that has to be resolved.
01:10:29:04 That's our point.
01:10:29:24 >> So your point is only a study if necessary.
01:10:32:09 >> That's right.
01:10:32:28 >> Because I did hear, I thought I heard you saying that if
there
01:10:35:10 was relatively more takeout, there'd be relatively more funds
01:10:38:06 to improve the experience at the track, that's what I thought
I
01:10:40:26 heard you saying.
01:10:41:25 That's not what you're saying.
01:10:42:27 And then I--just to make my point clear, I definitely heard
01:10:45:06 you saying that the track only bet could benefit from
reducing
01:10:50:00 the takeout.
01:10:51:26 >> Well, the hope would be that if the tracks offered a bet
that
01:10:55:29 you could only get on the track, it would increase
attendance.
01:10:59:25 I don't know what it would do to the bottom line and maybe,
you
01:11:04:00 know, you would take a loss in that pool if you're the track,
01:11:08:17 but you have the people on site so, hopefully, you'd be
01:11:11:07 generating revenue from other sources.
01:11:13:26 >> Also the signal cost, I think, is less on cross bets.
01:11:17:07 >> So your point of view is it needs some study.
01:11:20:04 >> And I think there's two different things.
01:11:21:28 One would be to attract the fan on site, the other is just
01:11:26:11 really to market that, you know, like the popularity of that
01:11:30:18 Pick-5 bet that NYRA offers now has gone through the roof and
01:11:34:01 what Tioga's done is it's more attractive to the fan to know
01:11:38:17 the takeout is, let's say, at 15%.
01:11:41:09 And again, this is for the more seasoned horse player or
01:11:44:29 seasoned fan.
01:11:46:09 They find that attractive and the studies, there's
conflicting
01:11:51:12 studies on that but I think Barry Schwartz many years ago,
01:11:54:05 his idea was, "We're gonna reduce this to 15% or so for the

01:11:57:17 takeout rates because, in the end, we're gonna get more money
01:12:00:23 through the windows.
01:12:02:16 >> That's right.
01:12:04:22 >> I mean, he went bankrupt.
01:12:08:23 >> Bygones.
01:12:09:22 [laughing]
01:12:10:19 >> If you get to zero, sure.
01:12:11:10 >> No, I know but --
01:12:13:03 >> But my only point was you guys haven't--you're not
01:12:15:04 proposing that you've done a study.
01:12:16:27 >> No, no.
01:12:18:05 >> We don't have the funds for that.
01:12:19:10 >> I understand.
01:12:20:05 Okay.
01:12:21:00 >> Do we think it could be done if we think it--there
probably
01:12:23:11 could be a sort of anthology's the wrong word, I guess, from
01:12:25:08 all the studies we've done to bring it together and say,
"What
01:12:27:02 do we know here," you know?
01:12:29:04 >> And who are you suggesting is the right sponsor for the
study?
01:12:34:08 >> I think Gaming Commission be appointed.
01:12:35:19 Again, I think the Racing Fan Advisory Council, if we have a
01:12:37:24 budget, can do it.
01:12:39:04 And I think it would be most unbiased to look at.
01:12:42:28 I think the data's out there.
01:12:44:06 The data are out there, it's just a matter of looking at it
01:12:46:00 and saying, "What does it really mean?"
01:12:47:26 'Cause whenever we raise it, we get opinions from different
01:12:49:26 people and they quote this study or that study or this study
and
01:12:53:26 I think the one point that Pat made about special wagers for
01:12:57:08 on-track, maybe I've been playing the game too long.
01:13:01:04 I was telling Mr. Kay my first day at the races out of
graduate
01:13:04:05 school was the Alydar Affirmed race at Belmont and I haven't
01:13:07:15 missed a Belmont Stakes in 36 years, you know, so I mean
01:13:10:10 it's--I've been around a little longer but it seems to me
that
01:13:15:29 you really can't get into this game unless you can smell the
01:13:17:28 hay.
01:13:19:16 You can't get into this game unless you're really there at
01:13:21:04 the track.
01:13:21:22 Otherwise, it's just a numbers game.
01:13:24:13 There's a whole lot about being there and feeling the
experience
01:13:26:27 and understanding it.
01:13:28:02 We know it at Saratoga real well, you know, at --
01:13:31:08 wonderful experience, you know, when you go to --
01:13:33:22 and even the breakfast at Gulfstream brings you into that
01:13:36:20 experience.
01:13:37:13 You've got to feel like this is something I enjoy doing.
01:13:40:16 This is not just how do I make a living?

01:13:42:05 Let's bet.
01:13:43:12 This is a sport and you should enjoy.
01:13:46:05 >> Thank you.
01:13:46:26 >> Does the takeout vary among stakes or what is the--the range
01:13:50:02 is from what to what?
01:13:51:21 I mean--
01:13:53:23 >> Yeah, I think we studied that.
01:13:58:25 It does range anywhere from, I think, 14% up to 25% based on
01:14:05:08 the various bets but it's all governed, I think in every
01:14:08:17 state, it's governed by state law as it is here in New York.
01:14:12:17 >> I think we were told when we looked at this at one of our
01:14:15:17 meetings --
01:14:18:15 >> Has anyone ever looked at the health of the industry in
01:14:21:00 relationship to the takeout at all or not really?
01:14:26:05 I guess that's what the study would be that we're talking
01:14:28:02 about, so let me shut up.
01:14:34:18 >> I think that one thing we realize here is and I think our
01:14:35:29 own statute says, in New York, says that a track can ask the
01:14:40:19 Commission to change the takeout rate and that somehow we
don't.
01:14:44:16 And it can be done as frequently as quarterly.
01:14:47:25 But we never seem to talk about it because there seems to
01:14:49:27 be--discussion never gets anywhere.
01:14:54:12 >> Yeah, Lee Park is showing a chart to me where the ranges
in
01:14:59:11 New York go from 15% up to, I guess, 25%.
01:15:05:27 But that does--I know we had some data on what other states
01:15:09:25 are doing.
01:15:10:28 That's fairly typical of what other states are doing.
01:15:13:20 But the tracks have an opportunity under law to apply
01:15:16:04 for a lowering of the takeout.
01:15:19:08 As we saw at Tioga, started very low, or at the minimum, but
we
01:15:24:04 haven't seen--the records we were able to uncover show that
01:15:29:05 most tracks were not applying for a lower takeout.
01:15:38:13 >> Well, thank you for--any more questions or--
01:15:41:12 >> Thank you, Mr. Chairman.
01:15:43:10 >> It was very helpful to us.
01:15:44:23 Thank you for all that you've done for the sport.
01:15:48:09 We can next turn on our agenda to new and old business.
01:15:55:15 -- consider any new business first?
01:15:59:13 Can we go backwards a little bit.
01:16:02:26 Going back to old business, there's a couple of things.
01:16:06:21 First in our March meeting, the issue was raised by
commissioner
01:16:10:19 Crotty regarding concerns to the actions of stewards at
01:16:14:18 thoroughbred race tracks and Rob's gonna give us an update.
01:16:19:10 >> Sure.
01:16:20:01 Actually, I'd like to ask Ron Ochrym, who's our acting
01:16:23:03 director of the Division of Horse Racing and Pari-Mutuel
01:16:26:01 Wagering to weigh in on this.
01:16:27:25 Ron, are you still on the call?
01:16:29:23 >> Yes, I am.

01:16:31:15 Thank you.

01:16:32:06 This fits into our discussion, what we just heard from the
01:16:34:02 Racing Fan Advisory Council.

01:16:36:11 Let me provide some background on an item we have been
working
01:16:39:03 on.

01:16:39:25 Since the Commission's meeting in March, staff have spent
01:16:42:21 considerable time in discussing and reviewing the initiative
01:16:46:04 proposed by Commissioner Crotty that would increase
transparency
01:16:49:26 and reform of the stewards' practices of explaining their
01:16:53:18 official calls and actions to the public.

01:16:56:07 Currently, information regarding inquiries at Belmont,
Aqueduct,
01:17:01:01 or Saratoga are provided by the stewards in the Stewards'
Corner
01:17:04:26 on NYRA's website.

01:17:06:07 The site provides a basic explanation of what the stewards
01:17:09:12 decided after an inquiry has been posted.

01:17:13:04 The initiative we are examining would expand on that process
by
01:17:15:29 providing a weekly report with additional information
available
01:17:19:17 to the public.

01:17:20:27 Specifically the proposal would require, among other things,
a
01:17:23:27 vote summary and who the steward spoke with in reviewing the
01:17:27:17 facts to decide on an inquiry.

01:17:29:22 The report would not only provide information on steward's
01:17:32:10 decision but also other important information that the
01:17:34:29 public should be provided.

01:17:36:20 All this information would be compiled and summarized in a
01:17:39:11 written report that would be available by track on the Gaming
01:17:43:03 Commissioners' website.

01:17:44:12 Over the past 2 months we have been researching what other
01:17:47:25 states do where such reporting is currently provided.

01:17:50:28 In the United States, California, Delaware,
01:17:53:18 Washington, have written stewards' reports that are
01:17:56:24 available on their respective Commission websites.

01:17:59:16 We are reviewing them to determine what information is
01:18:02:13 provided and the timeline for each report, daily or weekly.

01:18:06:24 In the development of this proposal, we have also sought
01:18:09:16 out the expertise of the ones that would be preparing these
01:18:12:19 reports, namely the stewards.

01:18:14:15 In fact, we have already discussed the proposal with the
01:18:16:28 stewards working at the NYRA track.

01:18:18:27 In April, acting executive director Williams and I met with
01:18:21:18 state steward Steve Lewandowski, NYRA steward Braulio Baeza,
and
01:18:25:20 Jockey Club steward Dr. Ted Hill, and discussed the concept
01:18:28:27 of this specific reporting item.

01:18:30:28 We were specifically interested in their feedback and
opinions
01:18:34:01 on not just requiring such information but how such

01:18:36:25 information could be provided in the least restrictive manner.

01:18:40:07 We discussed the following: providing that all individual

01:18:43:05 votes by the stewards involving the possible disqualification of

01:18:46:17 horses be maintained and disclosed, providing a record of

01:18:50:04 all horses tested for drugs after races and disclosed by the

01:18:53:23 steward, maintaining a record of contacts made by the stewards

01:18:57:20 during the course of any inquiry or objection.

01:19:00:09 The preliminary meeting with the stewards at NYRA was not only

01:19:03:05 productive but well received by all three stewards at presenting

01:19:05:20 the proposal and receiving their feedback.

01:19:08:22 We will also be meeting in the next week or so with the Finger

01:19:12:07 Lakes race track steward, state steward Stuart Rainey, Finger

01:19:15:26 Lakes Racing Association steward Richard Coyne and Jockey Club

01:19:19:16 steward Don Holmes.

01:19:21:07 We also discussed guidelines, protocols that would be needed

01:19:24:09 to be in place and would also welcome expanding this process

01:19:27:16 to the harness tracks over time.

01:19:29:11 That would require the development of a uniform and

01:19:31:21 consistent policy for all stewards and presiding judges to

01:19:35:08 follow.

01:19:36:03 We also plan on meeting with the Racing Fan Advisory Council and

01:19:40:15 solicit their input on both our overall discussion and the

01:19:43:28 results of our canvassing and research.

01:19:46:00 To that end, the Commission will ask the New York Racing Fan

01:19:49:13 Advisory Council for their thoughts on how best to achieve

01:19:52:03 these goals.

01:19:52:28 It is our expectation that we will begin with the thoroughbred

01:19:55:21 tracks reporting and should be prepared to report back to the

01:19:58:26 Commission with a policy directive by the end of July.

01:20:02:05 Hopefully, as previously stated, this report will be expanded to

01:20:05:12 the harness track once the thoroughbred component is in

01:20:07:17 place.

01:20:09:00 Thank you.

01:20:13:15 >> Commissioner Crotty, any--

01:20:14:17 >> It sounds very complete.

01:20:15:16 I think that would be excellent, any one of those would be great

01:20:17:07 so.

01:20:19:05 Great job, Ron, great job, Rob.

01:20:22:03 I think that would be a very meaningful improvement.

01:20:25:04 >> Thank you.

01:20:28:17 >> Secondly, just to report back to the full Commission, April 9

01:20:34:05 in Albany we had a very productive forum on the issue of

01:20:37:16 problem gambling.
01:20:39:23 If you recall, my first Commission meeting I suggested
01:20:41:17 that we take a look at this issue because of the impact it
01:20:45:23 would have in New York State, what was known, and two of the
01:20:49:16 commissioners joined us for that.
01:20:51:22 I thank you both for being there and we had a really
01:20:54:29 distinguished group of witnesses, researchers, public
01:20:58:27 service providers, individuals, families, --
01:21:02:27 the industry itself.
01:21:04:03 It was really a very meaningful full day of work.
01:21:08:17 So I think we may want to get a little update of where we're
01:21:12:17 going from there.
01:21:14:00 I don't know if Rob or--
01:21:15:05 >> Yes, certainly.
01:21:15:26 At this point, I'd like Ed Burns to address it.
01:21:19:01 He's been working with his staff relating to some
regulations.
01:21:22:05 Ed?
01:21:23:00 >> Sure.
01:21:23:24 As the commissioners who were there in Albany know, there was
01:21:25:15 a wealth of useful information submitted in connection with
the
01:21:28:29 public hearing and we are analyzing all that and studying
01:21:33:10 it very carefully in the context of developing the
Commission's
01:21:38:02 proposed comprehensive regulations at the casinos that
01:21:42:07 will start in New York State and are integrating that
information
01:21:46:12 into the drafts that we'll develop for your consideration.
01:21:51:16 >> What would your timing be on that?
01:21:53:16 How do you see that?
01:21:54:27 >> I think probably sometime this summer, we'll, you know, be
01:22:01:04 circulating a draft of what the comprehensive state
regulations
01:22:04:23 might look like.
01:22:06:05 >> Right.
01:22:06:29 >> There's a preliminary to that.
01:22:08:00 We're going to get out a white paper on regulatory--
01:22:09:26 >> Preliminary.
01:22:10:27 Very shortly, we are going to come out with some guidance of
01:22:19:12 what the regulations might look like in outline form and some
of
01:22:22:24 the areas in which other jurisdictions might differ and
01:22:28:20 what the range of theories in which states regulate certain
01:22:33:13 aspects of the casino industry and we're pulling all that
01:22:36:19 together for you now and should have that to you very
shortly.
01:22:39:16 >> Ed, will you be able to time that so that it interlaces
01:22:42:29 reasonably with what the Location Board is doing?
01:22:46:19 Because they have a component of their application that goes
to
01:22:50:10 this issue and I don't want to be in a situation where we've
01:22:53:16 suddenly done a bunch of rule-making after the fact.
01:22:56:06 >> Yeah.

01:22:57:08 We would circulate to both you and the Facility Board what Rob
01:23:03:24 refers to as a white paper of kind of giving you the scope or
01:23:08:00 outline of what proposed regulations might look like and
01:23:10:29 what some of the decision points you're gonna have to
consider
01:23:14:08 are gonna be.
01:23:16:06 And get some feedback from all of you so we can give some
01:23:20:03 guidance to the potential casino applicants before they--
01:23:23:05 >> And my only observation is, if I took my notes correctly,
01:23:25:07 the apps due on June 30?
01:23:27:20 The preliminary apps, we want to make sure that's
01:23:30:11 foremost in our timing?
01:23:31:17 >> It absolutely is.
01:23:32:11 >> Okay.
01:23:33:19 So it would be sent up in a way for--
01:23:36:17 >> Yes.
01:23:40:05 >> Well, the fact that we had the hearing also indicates to
01:23:42:28 anyone--it did not come up in any of the questions from any
of
01:23:45:25 the applications.
01:23:48:02 >> Are we involving OASAS in this process?
01:23:53:01 >> I haven't been in touch with them but certainly, you know,
01:23:56:02 they could have valuable input into it.
01:23:57:29 >> We are on the Responsible Play Partnership, which is a
01:24:00:09 different component of the responsible gambling elements
01:24:03:05 that we're advancing.
01:24:04:23 They're one of the three major players in that Responsible
Play
01:24:08:15 Partnership.
01:24:10:17 >> I just raised that for doing things that they're not aware
01:24:12:26 of, that's when I start hearing things --
01:24:18:28 >> Yeah, in that regard, I think, Rob, and the entire
01:24:21:13 staff, you suggested --
01:24:26:04 very distinguished panel and I think the treasure trove of
01:24:28:29 information -- .
01:24:31:10 Thank you.
01:24:32:01 >> It was really amazing you were able to put that together
01:24:34:05 in such a short period of time.
01:24:35:11 >> Absolutely, yeah.
01:24:39:07 >> The next item on our agenda is scheduling of our next
01:24:42:07 meetings.
01:24:43:21 I've had conversations with Rob in this regard.
01:24:45:21 I guess my recommendation is that we establish a uniform date
01:24:50:26 rather than try and coordinate everyone's calendar.
01:24:54:23 I think it's burdensome to the staff and not necessary so I
01:24:58:04 would suggest we just pick perhaps the fourth Monday of
01:25:02:24 each month and proceed with that kind of calendaring.
01:25:07:18 If the agenda's not wholesome enough, we can suspend the
01:25:10:19 meeting but if we get it on everyone's calendars, we would
01:25:13:15 all know, the Commission staff would know and I think we'd be
01:25:15:29 in better shape going forward.
01:25:18:11 But I'm open to any other revisions of dates or times that
01:25:21:01 would be--

01:25:22:10 >> You know, John, you and I had hesitation about that only
01:25:25:02 because we were worried about a quorum.
01:25:26:23 Now that we're five, I think we have a better shot at it.
01:25:28:24 >> Yeah, right, sure.
01:25:30:07 >> Any day we pick is fine with me.
01:25:34:10 >> And this seems to be the best location for everybody.
01:25:37:05 I mean, we could rotate it around if it mattered.
01:25:39:14 I don't really care.
01:25:40:29 >> No, not if it matters, it's--
01:25:44:02 >> Teleconferencing worked from Geneva so that was --
01:25:47:23 >> And it's nice to see Ron.
01:25:48:15 >> You weren't proposing meetings in Geneva, were you?
01:25:50:15 [laughing]
01:25:51:09 >> We should go over this summertime.
01:25:52:11 It's absolutely beautiful.
01:25:53:18 --
01:25:54:22 >> When they're in the dead of winter, it wasn't half bad.
01:25:57:00 >> Not Switzerland.
01:25:58:14 >> Yeah.
01:25:59:01 >> New York.
01:26:00:07 >> So --
01:26:01:24 Switzerland --
01:26:04:09 >> But the notion of that regular calendaring, I think,
01:26:06:28 makes the most sense for planning purposes for everyone?
01:26:09:23 Okay, so we'll--
01:26:12:04 >> Of course, your first Monday or your last Monday of June
is
01:26:17:05 the week of 4th of July.
01:26:21:20 >> So maybe the week before.
01:26:22:17 >> Then play around with it.
01:26:23:08 At least it's a scheduling so that way we can put it on the
01:26:25:21 calendar.
01:26:26:12 >> It's a stake in the ground.
01:26:27:23 Even if--
01:26:28:18 >> A stake in the ground, fair enough.
01:26:29:14 >> Right.
01:26:30:11 And some made the fair enough point that maybe holidays or
01:26:32:13 -- will interrupt that.
01:26:34:03 >> But locking in November's date or having it tentatively
01:26:36:19 out there would be very helpful.
01:26:38:06 >> Yeah, I would even say for the balance of the calendar--
01:26:40:12 >> Yeah, yeah, that's what I mean, you know, put it down--
01:26:42:08 >> Then we can revisit it and see what we're--okay, so I
think
01:26:45:00 that concludes today's published agenda.
01:26:49:09 Do any other commissioners have any other additional items
they
01:26:51:17 would like to present for consideration here?
01:26:57:01 Well, hearing none--
01:26:58:10 >> This means that we do meet again before the applications
01:27:00:04 come in at the end of June, is that right?
01:27:03:25 >> But not necessarily the fourth Monday in June.
01:27:10:23 >> Okay.
01:27:11:25 Well, thank you all very much.

01:27:13:13 We will adjourn this meeting of the New York State Gaming
01:27:17:02 Commission.
01:27:17:26 We welcome our new colleague --
01:27:20:19 to the table.
01:27:21:07 I thank you all for coming.
01:27:23:06 >> Thank you.
01:27:23:29 >> Thanks.