

NYCRR Title 9, Executive

Subtitle T

New York State Gaming Commission

Chapter I

Division of Horse Racing and Pari-Mutuel Wagering

Subchapter D

Promotion of Equine Research

Part

4250 Equine Research Fund

PART 4250

Equine Research Fund

Section

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§ 4250.1. Research fund created.

Pursuant to section 701 of the Racing, Pari-Mutuel Wagering and Breeding Law, a fund for the promotion of equine research is hereby created in the New York State Veterinary College at Cornell, as a regents approved veterinary college facility of a land grant university within this State. The fund is hereby designated the “Harry M. Zweig Memorial Fund for Equine Research” in honor of the late Harry M. Zweig, D.V.M. The monetary assets of the fund shall be used for equine research conducted by the State Veterinary College pursuant to the rules and regulations of the State Gaming Commission.

§ 4250.2. Committee.

(a) The Harry M. Zweig Memorial Fund for Equine Research Committee (committee) is established within the State Gaming Commission for the purpose of administering the funds and supervising its work on behalf of the commission. The committee will consist of not less than nine and not more than 15 members including but not limited to:

- (1) the chair of the commission, or the chair’s designee;

(2) the dean of New York State Veterinary College at Cornell (Veterinary College), or the dean's designee;

(3) a member, or the executive director of the Agriculture and New York State Horse Breeding Development Fund to be nominated by such fund;

(4) a member or the executive director of the New York State Thoroughbred Breeding and Development Fund to be nominated by such fund;

(5) other bona fide residents of New York State who have a cogent interest in the racing and breeding industry in New York State of which at least five will be New York breeders, owners, trainers or veterinarians in equine practice.

(b) The committee will establish its own bylaws that will include a system for electing its own officers and for perpetuating its membership, providing for the terms of its members, their replacement and succession, and such other administrative details as it deems necessary to effectuate the purposes of the statute. The commission shall review and approve such bylaws and amendments thereto prior to their implementation. Members and officers shall be approved by the commission and will serve without remuneration.

§ 4250.3. Interest bearing account.

(a) Two percent of all monies accruing respectively to the Agriculture and New York State Horse Breeding Development Fund (harness fund) and the New York State Thoroughbred Breeding and Development Fund, Inc. (thoroughbred fund) for the purpose of conducting equine research shall be deposited by such funds in a special interest bearing account, title to which shall be in New York State Veterinary College at Cornell and control over which shall be in the commission through the committee. Withdrawals from such accounts will be made only upon the authorization of the committee, and the signatures of two of the committee's members as designated by the committee. All monies accrued by the thoroughbred or harness funds shall be deposited monthly within one month of its accrual by the harness fund and thoroughbred fund, and notice thereof shall be forwarded to the committee and this commission.

(b) On or before January 1 and July 1 of each year, the harness fund and the thoroughbred fund shall provide to the committee and this commission a certified statement of amounts then deposited to the credit of the committee and a projection of funds to be deposited to the credit of such committee for the subsequent six-month period.

§ 4250.4. Research proposals.

(a) The committee will consider the need, priority and potential success of research proposals in determining those bearing the most potential benefit to the equine industry in New York State.

- (b) Individuals and institutions eligible for research grants from such funds shall submit to the committee their proposals for the conduct of research projects to be supported by such grants.
- (c) Each such proposal shall include a complete description of the proposed project, a detailed budget for the same, the personnel conducting the project, and a time schedule for the project with an explanation of any contingencies included in the description.
- (d) The committee shall cause all such proposals to be transmitted within five days of receipt to the commission.
- (e) The committee may, in its discretion, cause such proposals to be reviewed by one or more experts in the field or related research, and may approve, disapprove or recommend changes to such projects.
- (f) The committee's approval, disapproval and/or recommendations with regards to each proposal or the committee's adoption of a budget will be sent to the commission for the commission's approval.

§ 4250.5. Research grant.

- (a) Upon approval of a proposal by the committee and subsequently by the commission, the committee shall then enter into a contractual relationship with the applicant for the research grant within the limit of the funds available therefor and subject to the following limitations:
 - (1) all grants so provided shall be used for the direct cost of approved projects and shall not be used to supplant funds otherwise available to the applicant, to the institution with which he is affiliated, or for the general cost recoveries that are rightfully the prior obligation of the institution to which the research grant is made;
 - (2) no funds shall be expended for the acquisition, construction or renovation of capital facilities without specific prior written approval by the committee;
 - (3) payments shall be made upon certified vouchers submitted to the committee and prepared in a format satisfactory to the committee and to the commission.
- (b) Copies of grant contracts shall be furnished to this commission, the harness fund and the thoroughbred fund.