

Minutes of Meeting of the New York

State Racing and Wagering Board

Thursday, May 3, 1979

10:30 A.M.

A meeting of the New York State Racing and Wagering Board was held on Thursday, May 3, 1979 at the Board Office, Two World Trade Center, New York.

The meeting being called on Monday, April 30, 1979, public notice of the meeting was given to the Associated Press and UPI and to the public by posting in the Board's reception area on the 74th floor and also on the 44th floor.

Present: Bertram D. Sarafan, Member; Dr. Joseph O'Dea, Member

Also Present: John Van Lindt, Executive Director; John Dailey, Director of Racing and OTB; Victor Coccoziello, Counsel; Richard Corbisiero, Director of Wagering Systems; Sal Ferrara, Director of Audits, Investigations and Licensing; Dean Alfange, Director of Quarter Horse; Kenneth Esolen, Administrative Consultant; Kenneth Beh, Director of Public Relations; Bernard Golar, Assistant Commissioner and Director of OTB Regulations; Sal Curiale, Assistant Counsel; Lois A. White, Assistant Counsel; Ted Garrison, Assistant Counsel and Thomas C. Davide, Secretary to the Board.

- A. Minutes. The Board approved for entry into the minutes the minutes of its meeting held April 3, 1979.
- B. For Entry Into the Minutes:
1. Batavia Downs - Free Admission. The Board approved for entry into the minutes the Board's prior approval of request by Batavia Downs to admit patrons free if they avail themselves of the bus services from Rochester or Buffalo to Batavia Downs. This promotion is geared toward the saving of fuel.
 2. NYRA/Wood Memorial/Triple Crown Contest. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to run a handicapping contest tied into the Wood Memorial and the Triple Crown races as outlined in their letter of request.
 3. Yonkers Raceway/TV Sets. The Board approved for entry into the minutes the Board's prior approval of request by Yonkers Raceway to have drawings for two color TV Sets, one on Wednesday, April 18th and

one on Saturday, April 21st. Coupons would be left at all admission and entrance gates to the raceway.

4. WROTB- Pick 3 at Buffalo Raceway. The Board approved for entry into the minutes the Board's prior approval of request by Western Regional Off-Track Betting Corporation, to accept Pick-3 wagering on races to be conducted at Buffalo Raceway on Tuesdays and Fridays commencing Tuesday, April 24, 1979, through their upcoming meet ending July 28, 1979.
5. NYCOTB/Finger Lakes. The Board approved for entry into the minutes the Board's prior approval of request by NYCOTB to accept wagers on races run at Finger Lakes on Tuesdays, starting April 24, 1979, during NYRA Dark Days. NYCOTB will act as agent for the other regional corporations as outlined in their letter of request.
6. Vernon Downs/ 30 Day Rule Waiver. The Board approved for entry into the minutes the Board's prior approval of request by Vernon Downs to waive the 30 day rule for the first two weeks at Vernon Downs. This will only involve horses which raced at the beginning of the year at Saratoga Raceway and/or Monticello Raceway.
7. NYCOTB/Churchill Downs Contract. The Board approved for entry into the minutes the Board's prior approval of request by NYCOTB to enter into negotiations with Churchill Downs to accept wagers on:
 1. The Stepping Stone, to be run at Churchill Downs on April 28, 1979.
 2. The Kentucky Oaks, to be run at Churchill Downs on May 4, 1979.
 3. The Kentucky Derby, to be run at Churchill Downs on May 5, 1979.If these negotiations are successful this approval includes permission to NYCOTB to accept wagers on these races and to act as agent for the other OTB regions.
8. NYCOTB - Pick-Four at Roosevelt Raceway. The Board approved for entry into the minutes the Board's prior approval of request by NYCOTB to accept Pick-Four wagering at Roosevelt Raceway during its upcoming meet. It is their intention, with Roosevelt's concurrence, to accept Pick-Four wagers on Thursdays and Saturdays to coincide with their weekly television broadcasts.
9. NYRA/Century Theatres Promotion. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to join with Century Theatres in a cross promotion, whereby Century Theatres would distribute free passes for the movie "The Champ", to be distributed at Aqueduct, and NYRA would provide 30,000 free grandstand admissions good for the remainder of the current Aqueduct meet.

10. "Beau Bronze" matter. The Board approved for entry into the minutes the Board's prior approval permitting said horse to be entered in races in New York based upon the fact that the switching of said horse occurred in Kentucky and the Kentucky Racing Commission has permitted said horse to be entered.

C. For Board Approval:

1. Designation of Certain Employees. The Board approved for entry into the minutes the Designation of certain Board personnel to administer oaths etc. in accordance with Section §162.9.
2. Proposed Rule - 5404.7 Distribution of printed matter. The Board approved for entry into the minutes Proposed Rule 5404.7, which permits the sale of official race track programs at OTB branch office for a price not less than that charged by the Racing Association.
3. Monticello Raceway - 1979 Special Policemen. The Board approved for entry into the minutes the list of names submitted by Monticello Raceway, in accordance with its letter of April 17, 1979, to act as Special Policemen pursuant to Section 8012a of the Unconsolidated Laws, for 1979.
4. NYRA- Invitational Handicapper's Challenge III. The Board approved for entry into the minutes request by NYRA to hold a promotion called "Invitational Handicapper's Challenge III". This promotion is virtually identical with the promotion conducted during Aqueduct's Spring and Fall Meeting, 1978.
5. Jockey Club - Finger Lakes, alternate Steward, Richard Coyne. The Board approved for entry into the minutes request by the Jockey Club Stewards to have Mr. Coyne be the alternate Steward at Finger Lakes Race Track for 1979.
6. NYCOTB - Stepping Stone Purse. The Board approved for entry into the minutes request by NYCOTB to accept triple wagers on the Stepping Stone Purse at Churchill Downs on April 28, 1979. In the event the Stepping Stone field goes below seven (7) horses trifecta wagering must be cancelled and such wagers refunded.
7. Capital OTB - Additional Branch, Herkimer County. The Board approved for entry into the minutes request by Capital District OTB to amend its plan of operation to add an additional branch to be located in Herkimer County.
8. Proposed Rule (new) 4111.35- Authorized agents. The Board approved for entry into the minutes the Board's approval of proposed rule (new) 4111.35 which limits the number of owners that can be represented by an authorized agent for the purpose of declaring a horse or horses.
9. WROTB- Pick-Three date at Buffalo Raceway. The Board approved for entry into the minutes the Board's approval of request by WROTB to change the scheduled Pick-Three date at Buffalo Raceway from Friday, May 4, 1979 to Thursday, May 3, 1979 (one day only).

10. Western Regional OTB - Quinella Wagering at Finger Lakes. The Board approved for entry into the minutes the Board's approval of request by WROTB to accept Quinella wagering on races to be run at Finger Lakes Race Track as an "OTB Exclusive". This wager will be offered on races two, four and eight.
11. Proposed Rule 4100.1. The Board approved for entry into the minutes the Board's approval of proposed rule 4100.1 which is an amendment to make the New York State rule correspond with the U.S.T.A. rule on how the age of a foal is determined.
12. Rule 4118.2 (a). The Board deferred decision pending a hearing to be held on May 21, 1979 regarding the effective date of Rule 4118.2 (a) dealing with the payment of 5% of purse money to drivers.
13. Hearing Officer Report in the matter of - Steve Flanigen. The Board affirmed the decision of the judges to suspend Mr. Flanigen for five days as recommended by Hearing Officer Rooks in his report dated April 30, 1979.
14. Hearing Officer Report in the matter of - Dick Wilcox (Driver). The Board affirmed the decision of the judges to suspend Mr. Wilcox for five days as recommended by Hearing Officer Rooks in his report dated April 30, 1979.
15. Hearing Officer Report in the matter of - Ted Turcotte, Jr. (Driver) The Board affirmed the decision of the judges to suspend Mr. Turcotte for five days as recommended by Hearing Officer Rooks in his report dated April 30, 1979.
16. Hearing Officer Report in the matter of - Jim Wetzel (Driver). The Board affirmed the decision of the judges to suspend Mr. Wetzel for five days as recommended by Hearing Officer Rooks in his report dated April 30, 1979.
17. Rule 4217.14. The Board deferred decision relating to proposed rule 4217.14, which reinstates triple wagering for quarter horse racing.
18. WROTB/Pre-Punching of Tickets for Kentucky Derby. The Board approved for entry into the minutes the Board's denial of request by WROTB of a proposed amendment to their plan of operation. The corporation desires to "pre-punch" a limited number of wagers on Win, Place and Show for the Kentucky Derby.