

MINUTES

NEW YORK STATE RACING AND WAGERING BOARD

MEETING OF FEBRUARY 25, 1999

A meeting of the New York State Racing and Wagering Board was held on Thursday, February 25, 1999 at 11:45 a.m. at the Executive Office at 1 Watervliet Avenue Extension, Suite 2, Albany, New York.

The meeting was called to order at 11:55 a.m.

A. The Board approved the minutes of the Board Meetings held January 21, 1999 and February 5, 1999.

B. ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE CHAIRMAN

C. ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD

D. ITEMS FOR BOARD INFORMATION/DISCUSSION

ATTENDANCE

ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE CHAIRMAN

1. FINGER LAKES REQUEST TO SIMULCAST WAGERING ON BAY MEADOWS OPERATING COMPANY

2. FINGER LAKES REQUEST TO OFFER SIMULCAST WAGERING ON OAKLAWN JOCKEY CLUB, INC. (OAKLAWN PARK)

- [3. MONTICELLO RACEWAY REQUEST FOR UPCOMING 1999 SCHEDULE](#)
- [4. CAPITAL REGION OFF-TRACK BETTING REQUEST TO CONDUCT MYSTERY BET VOUCHER GIVEAWAY](#)
- [5. SUFFOLK REGIONAL OFF-TRACK BETTING REQUEST TO CONDUCT HANDICAPPING CHALLENGE](#)
- [6. NASSAU OFF-TRACK BETTING \(INCLUDING SUFFOLK OTB\) REQUEST TO AMEND PLAN OF OPERATION TO ADD SIMULCAST FROM PENN NATIONAL](#)
- [7. BUFFALO RACEWAY REQUEST TO AMEND 1999 LICENSE](#)
- [8. FINGER LAKES REQUEST TO IMPORT SIMULCASTS FROM SPORTSMAN'S PARK AND BUFFALO RACEWAY](#)
- [9. NYRA REQUEST TO SIMULCASTS RACES OF SPECIAL INTEREST](#)
- [10. NEW YORK CITY OFF-TRACK BETTING CORPORATION \(ON BEHALF OF ALL REGIONAL OTB's\) REQUEST TO SIMULCAST FROM NEW PORTLAND MEADOWS, INC](#)
- [11. BUFFALO RACEWAY REQUEST TO AMEND 1999 LICENSE](#)
- [12. FINGER LAKES REQUEST TO OFFER \\$1,000 SIMULCAST HANDICAPPING CHALLENGE](#)
- [13. NEW YORK CITY OFF-TRACK BETTING CORP. REQUEST TO SIMULCAST FROM CHURCHILL DOWNS](#)
- [14. SARATOGA HARNESS REQUEST TO AMEND PLAN OF OPERATION TO IMPORT FROM SANTA ANITA ETC.](#)
- [15. VERNON DOWNS REQUEST TO SIMULCAST OAKLAWN PARK](#)
- [16. BUFFALO RACEWAY REQUEST TO CANCEL LIVE RACING](#)
- [17. MONTICELLO RACEWAY REQUEST TO AMEND 1999 HARNESS LICENSE REGARDING POST TIMES](#)
- [18. FINGER LAKES REQUEST TO EXPORT SIMULCAST TO SARATOGA, VERNON DOWNS & CATSKILL OTB](#)
- [19. CAPITAL OFF-TRACK BETTING REQUEST TO PARTICIPATE IN ALL 3 FUTURE POOLS ON THE 1999 KENTUCKY DERBY](#)
- [20. NEW YORK CITY OFF-TRACK BETTING REQUEST TO IMPORT SIMULCAST FROM SPORTSMAN PARK](#)

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ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD

- [1. MATTER OF JOHN T. O'NEILL](#)
 - [2. MATTER OF ANN MARIE DOLAN](#)
 - [3. IN THE MATTER OF KEITH HAASE](#)
 - [4. IN THE MATTER CHARLES QUAGLIA](#)
 - [5. LICENSE APPLICATION OF KAREN MURPHY](#)
 - [6. PERMANENT ADOPTION OF RULES TO END MANDATORY MINIMUM BETTING AMOUNTS REQUIRED FOR A WAGER](#)
 - [7. FINGER LAKES REQUEST TO AMEND RACING DATES FOR 1999](#)
 - [8. FINGER LAKES REQUEST TO CONDUCT PROMOTIONAL EVENTS](#)
 - [9. FINGER LAKES 1999 RACING OFFICIALS ROSTER](#)
 - [10. VERNON DOWNS REQUEST FOR WINNERS CLUB PROMOTION](#)
 - [11. CAPITAL OFF-TRACK BETTING LEASE AGREEMENT & ASSESSMENT FORM FOR RELOCATION OF UTICA BRANCH](#)
 - [12. CATSKILL OFF-TRACK BETTING REQUEST TO AMEND PLAN OF OPERATION](#)
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 - [14. WESTERN OFF-TRACK BETTING CORP. APPOINTMENT OF CONCESSIONAIRE FOR AUBURN BRANCH](#)
 - [15. MONTICELLO RACEWAY REQUEST TO WITHDRAW FROM CAPITAL IMPROVEMENT FUND](#)
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In Attendance Were:

Michael J. Hoblock, Jr., Chairman
Joseph P. Neglia, Member
Bennett Liebman, Member
Edward Martin, Executive Director
Stephanie L. Donato, Secretary to the Board
Robert Feuerstein, General Counsel
Tom Casaregola, Acting Director of Audits and Investigations
Jim Gallagher, Chief of Racing Operations

Also in Attendance Were:

Dianne Landor, NYSRWB
Nicole Robilotto, NYSRWB
Joe Lynch, NYSRWB
Joe Mahoney, NYSRWB
Jennifer Whalen, NYSRWB
Ira Block, NYCOTB
Robert Daggett, Cappola, Ryan & McHugh
Karen Murphy, Burstein, McPherson & Bonstrom, LLP
Joshua Ehrlich, NYS Senate
B. Heller, Thoroughbred Times
Steve Bochnak, NY Thoroughbred Horsemen's Assoc.
B. Ney, Gazette
Michael J. Tighe, OTB (Capital)
John Russo, NYRA
Bill Crowell, Hinman Straub
Heather Bennett, The Bennett Firm, LLC
Tom Precino, Buffalo News/Blood Horse
Dennis Brida, NYTHA

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Open comment period - no comments were made.

A. The Board approved the minutes of the Board Meetings held January 21, 1999 and February 5, 1999.

B. ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE CHAIRMAN

1. FINGER LAKES REQUEST TO SIMULCAST WAGERING ON BAY MEADOWS OPERATING COMPANY

For entry into the minutes, on January 21, 1999, approval was granted for the request by Finger Lakes Racing Association to import the simulcast signal and take wagering on Bay Meadows in California whenever applicable under the Racing Law.

Simulcasts began January 21, 1999 and the approval expires on November 14, 1999.

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2. FINGER LAKES REQUEST TO OFFER SIMULCAST WAGERING ON OAKLAWN JOCKEY CLUB, INC. (OAKLAWN PARK)

For entry into the minutes, on January 21, 1999, approval was granted for the request by Finger Lakes Racing Association to offer simulcast wagering on Oaklawn Jockey Club, Inc. races.

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3. MONTICELLO RACEWAY REQUEST FOR UPCOMING 1999 SCHEDULE

For entry into the minutes, on January 21, 1999 and various other dates, approval was granted for the request by Monticello Raceway to simulcast the following:

Accept simulcasts from:

Philadelphia Park Rosecroft Raceway Buffalo Raceway

Export simulcasts to:

Buffalo Raceway John Martin Manor OTB Pompano Park

Lewiston Raceway Rockingham Park River Downs

Suffolk Downs

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4. CAPITAL REGION OFF-TRACK BETTING REQUEST TO CONDUCT MYSTERY BET VOUCHER GIVEAWAY

For entry into the minutes, on January 21, 1999, approval was granted for the request by Capital Region Off-Track Betting to conduct a Mystery Bet Voucher promotion on Super Bowl Sunday, January 31, 1999.

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5. SUFFOLK REGIONAL OFF-TRACK BETTING REQUEST TO CONDUCT HANDICAPPING CHALLENGE

For entry into the minutes, on January 21, 1999, approval was granted for the request by Suffolk Regional Off-Track Betting to conduct a handicapping challenge on February 27, 1999 at Tele-A-Race, 100 Adams Avenue, Hauppauge, New York in accordance with the rules and regulation outlined, pursuant to Section 908 of the Racing, Pari-Mutuel Wagering and Breeding law.

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6. NASSAU OFF-TRACK BETTING (INCLUDING SUFFOLK OTB) REQUEST TO AMEND PLAN OF OPERATION TO ADD SIMULCAST FROM PENN NATIONAL

For entry into the minutes, on January 25, 1999, approval was granted for the request by Nassau Off-Track Betting (including Suffolk OTB) to amend their simulcast plans of operation and add the signal from Penn National Race Course in Grantville, PA, whenever permitted by the Racing Law, through February 15, 1999, not as requested for the entire year. The available permission letter from the Pennsylvania Division of the HBPA expires on that date and a new permission letter is needed for this simulcast to extend past February 15th.

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7. BUFFALO RACEWAY REQUEST TO AMEND 1999 LICENSE

For entry into the minutes, on February 1, 1999, approval was granted for the request by Buffalo Raceway to amend the 1999 License and cancel the live racing program on February 3rd due to a shortage of horses. Buffalo anticipates resuming its normal four-day racing schedule the following week.

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8. FINGER LAKES REQUEST TO IMPORT SIMULCASTS FROM SPORTSMAN'S PARK AND BUFFALO RACEWAY

For entry into the minutes, on February 1, 1999, approval was granted for the request by Finger Lakes Racing Association to import simulcasts signals from Sportsman's Park and Buffalo Raceway.

It is understood that the Buffalo Raceway imported simulcasts will be on a selected basis.

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9. NYRA REQUEST TO SIMULCASTS RACES OF SPECIAL INTEREST

For entry into the minutes, on February 1, 1999, approval was granted for the request by NYRA to designate the following thoroughbred races as special events:

<u>Date</u>	<u>Race</u>	<u>Track</u>
02/13/99	The Barbara Fritchie H. (II)	Laurel
02/15/99	The General George H. (II)	Laurel
03/21/99	The Florida Oaks (III)	Tampa
04/10/99	Big 3 Pick 3	Aqueduct, Keeneland, Oaklawn
04/18/99	Texas Mile (III)	Lone Star Park
04/18/99	Lone Star Derby	Lone Star Park
04/30/99	Kentucky Oaks/Derby Double	Churchill Downs
05/08/99	The Illinois Derby	Sportsman's Park

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10. NEW YORK CITY OFF-TRACK BETTING CORPORATION (ON BEHALF OF ALL REGIONAL OTB's) REQUEST TO SIMULCAST FROM NEW PORTLAND MEADOWS, INC.

For entry into the minutes, on February 3, 1999, approval was granted for the request by New York City Off-Track Betting Corporation (on behalf of all Regional OTB's) to simulcast Portland Meadows as a bridge signal on Saturday evening, effective immediately.

Portland Meadows also has a matinee program scheduled for Monday, February 15th beginning at 3:30 p.m., Eastern Time. The Portland Meadows signal may be accepted upon the conclusion of the last race at the operating NYRA track and until 7:30 p.m. No wagering on any race with an advertised post time past 7:30 p.m. may be accepted.

The approval also applies to Capital, Catskill and Western Regional OTB Corporations. The approval does not apply to the Nassau and Suffolk OTB Corporations, as they were not included on the New York City OTB - Portland Meadows contract, although included on the request letter.

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11. BUFFALO RACEWAY REQUEST TO AMEND 1999 LICENSE

For entry into the minutes, on February 9, 1999, approval was granted for the request by Buffalo Raceway to amend its 1999 License and cancel the live racing program on February 10, 1999 due to a shortage of horses. Buffalo anticipates resuming its normal four-day racing schedule the following week.

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12. FINGER LAKES REQUEST TO OFFER \$1,000 SIMULCAST HANDICAPPING CHALLENGE

For entry into the minutes, on February 10, 1999, approval was granted for the request by Buffalo Raceway to conduct a \$1,000 simulcast handicapping challenge on February 20 and 21, 1999, as outlined in the official rules and regulations.

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13. NEW YORK CITY OFF-TRACK BETTING CORP. REQUEST TO SIMULCAST FROM CHURCHILL DOWNS

For entry into the minutes, on February 10, 1999, approval was granted for the request by New York City Off-Track Betting Corp. to participate in all three future pools of the 1999 Kentucky Derby, the first will be from noon (EST) on Thursday, February 18th through 4:30 p.m. (EST) on Sunday, February 21, 1999.

The second period will be March 11th through March 14th. The third period will be April 8th through April 11th. NYC OTB should notify the Board should they decide not to participate in all three period pools.

The fact that "there will be no cancellations or refunds", per Kentucky rules should be stressed to customers before wagering.

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14. SARATOGA HARNESS REQUEST TO AMEND PLAN OF OPERATION TO IMPORT FROM SANTA ANITA ETC.

For entry into the minutes, on February 11, 1999, approval was granted for the request by Saratoga Harness to import the Santa Anita simulcast from the Los Angeles Turf Club in California and from Turf Paradise in Phoenix, Arizona.

The imported simulcasts will be available under "bridge" conditions on all days that thoroughbred racing is conducted in New York State. Races from "bridge tracks" may be imported and wagered upon from the conclusion of the final afternoon New York State

thoroughbred race (at both NYRA and Finger Lakes) until 7:30 p.m. (Racing Law 1017-a). No race with an advertised post time past the 7:30 p.m. Eastern hour may be imported.

Also, the request for the import of simulcasts from Dover Downs is through November 30, 1999, as that is the final 1999 date approved by the Delaware Standardbred Owners Association, Inc.

Also approved for the entire calendar year of 1999 were the in-state importation of simulcasts from Buffalo Raceway, Finger Lakes Racetrack and Vernon Downs.

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15. VERNON DOWNS REQUEST TO SIMULCAST OAKLAWN PARK

For entry into the minutes, on February 11, 1999, approval was granted for the request by Vernon Downs for the import of the simulcast from Oaklawn Park in Arkansas into Vernon Downs.

Currently, this track is designated as a bridge simulcast throughout New York State and the simulcast is available upon the conclusion of all in-state New York thoroughbred racing programs each day. No Oaklawn race slated to begin after 7:30 p.m. Eastern Time may be imported for wagering and simulcast.

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16. BUFFALO RACEWAY REQUEST TO CANCEL LIVE RACING

For entry into the minutes, on February 12, 1999, approval was granted for the request by Buffalo Raceway to cancel their live racing program on Wednesday, February 17, 1999 due to a shortage of horses. Buffalo anticipates resuming its normal four (4) day racing schedule the following week.

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17. MONTICELLO RACEWAY REQUEST TO AMEND 1999 HARNESS LICENSE REGARDING POST TIMES

For entry into the minutes, on February 12, 1999, approval was granted for the request by Monticello Raceway to amend its 1999 Harness License regarding post times from 7:35 p.m. to 1:05 p.m. on Wednesdays, beginning on February 24, 1999.

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18. FINGER LAKES REQUEST TO EXPORT SIMULCAST TO SARATOGA, VERNON DOWNS & CATSKILL OTB

For entry into the minutes, on February 16, 1999, approval was granted for the request by Finger Lakes to export simulcast in-state to Saratoga Harness, Vernon Downs and the Catskill Off-Track Betting Corporation, whenever applicable under the Racing Law.

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19. CAPITAL OFF-TRACK BETTING REQUEST TO PARTICIPATE IN ALL 3 FUTURE POOLS ON THE 1999 KENTUCKY DERBY

For entry into the minutes, on February 16, 1999, approval was granted for the request by Capital OTB to participate in all three future pools on the 1999 Kentucky Derby to be contested at Churchill Downs. The first period of wagering will be from noon (EST) on Thursday, February 18th through 4:30 p.m. (EST) on Sunday, February 21, 1999.

The second period will be March 11th through March 14th. The third period will be April 8th through April 11th. Capital OTB should notify the Board should they decide not to participate in all three period pools.

The fact that "there will be no cancellations or refunds", per Kentucky rules, should be stressed to customers before wagering.

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20. NEW YORK CITY OFF-TRACK BETTING REQUEST TO IMPORT SIMULCAST FROM SPORTSMAN PARK

For entry into the minutes, on February 16, 1999, approval was granted for the request by New York City OTB to import simulcast from Sportsman's Park in Illinois whenever applicable under the Racing Law.

This approval also applies to the Capital District, Catskill and Western Regional OTB.

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D. ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD

1. MATTER OF JOHN T. O'NEILL

The Board approved Hearing Officer Liebman's recommendation that Mr. O'Neill **not** be removed as a director of the Capital District Regional Off-Track Betting Corporation pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 502(7).

Chairman Hoblock had a concurring opinion that the standards should be higher.

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2. MATTER OF ANN MARIE DOLAN

The Board approved Hearing Officer Liebman's recommendation that Ms. Dolan be found not guilty of the charge that she violated Board Rule 4117.4(e) in the second race at Vernon Downs on September 25, 1998.

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3. IN THE MATTER OF KEITH HAASE

The Board approved Hearing Officer Liebman's recommendation that the protest be denied and that the decision of the judges not to disqualify FINAL CONTROL in the fifth race at Vernon Downs on August 1, 1997 be affirmed.

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4. IN THE MATTER CHARLES QUAGLIA

The Board approved Hearing Officer Hoblock's recommendation that Mr. Quaglia be found guilty of the charges and be suspended for 120 days for violation of Board Rules 4120.6(d) and 4119.7(a)(5) at the Syracuse Mile on August 14, 1998.

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5. LICENSE APPLICATION OF KAREN MURPHY

The Board deferred the issue until the next Board Meeting.

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6. PERMANENT ADOPTION OF RULES TO END MANDATORY MINIMUM BETTING AMOUNTS REQUIRED FOR A WAGER

The Board approved the permanent adoption of Board rules 4011.15(b), 4011.23(a), 4122.39(b), 4122.41(b), 4122.42(b), 4217.10(b), 4217.13(b), 4217.13(b), and 4217.14(b), which have set mandatory minimum dollar wagering amounts.

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7. FINGER LAKES REQUEST TO AMEND RACING DATES FOR 1999

The Board approved the request by Finger Lakes to amend its racing schedule by adding Friday, November 26, 1999. This will bring the total racing days for 1999 to 171.

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8. FINGER LAKES REQUEST TO CONDUCT PROMOTIONAL EVENTS

The Board approved the request by Finger Lakes to conduct the following promotional events:

Sunday, March 14th - Toy Train Show. Trade show for toy trains.

Wednesday & Thursday, April 14th and 15th - Farmington Farm & Garden of Farmington will hold a Horsemen's Open House trades show.

Sunday, Monday, Tuesday, May 16th, 17th, & 18th - Jackson Dawson Comm. will hold a Toyota Ride and Drive.

Sunday, June 6th - Victor/Farmington Lions Club and MG Car Club of Western New York will hold a sports car and vintage auto festival.

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9. FINGER LAKES 1999 RACING OFFICIALS ROSTER

The Board approved the request by Finger Lakes for its 1999 Roster of Racing Officials, pursuant to Board rule 4005.1.

All officials are currently licensed with the exception of the following:

Corleen Bubolz Elizabeth Tantalo

JoAnn Tremacco Raymond Royston

Don Smith

A follow-up will be done at next month's Board Meeting to make sure the above individuals were properly licensed.

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10. VERNON DOWNS REQUEST FOR WINNERS CLUB PROMOTION

The Board approved the request by Vernon Downs to offer a season's pass promotion called "The Winner's Club Card '99". The price of the pass is \$40.00. Patrons who purchase the card are entitled to free parking, free clubhouse or grandstand admission and free programs.

The Board did not authorize the drawing for free dinner solely for the Winner's Club entrants. The free dinner promotion can be accomplished by offering paying and non-paying customers an ability to win the drawing, as there is no purchase necessary to participate.

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11. CAPITAL OFF-TRACK BETTING LEASE AGREEMENT & ASSESSMENT FORM FOR RELOCATION OF UTICA BRANCH

The Board approved the request by Capital OTB to amend its simulcast plan of operation to relocate the 1899 Genesee Street, Utica, NY simulcast branch.

The Board also granted permission to transfer the existing Genesee simulcast license to the new location.

The approval is conditioned upon receipt of the Certificate of Occupancy and written confirmation from appropriate local officials that the location of such facility and the number of patrons expected to occupy the facility are in compliance with all applicable local ordinances.

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12. CATSKILL OFF-TRACK BETTING REQUEST TO AMEND PLAN OF OPERATION

The Board approved the request by Catskill Off-Track Betting Corp. to amend its plan of operation and appoint John J. Naccarato as a member of the Board of Directors for Ulster County.

Approval was conditioned upon the satisfactory return of Mr. Naccarato's federal fingerprint cards.

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13. NYC OFF-TRACK BETTING CORP. REQUEST TO RELOCATE QUEENS FACILITY

The Board approved the request by NYC Off-Track Betting Corporation to amend its plan/simulcast plan of operation to relocate the 22-46 31st Street, Queens, New York simulcast branch facility to 22-72 31st Street, Queens, New York.

The Board also granted permission to transfer the existing simulcast license from 22-46 31st Street to the newly constructed 22-72 31st Street, Queens, New York. The approval is conditioned upon receipt of the Certificate of Occupancy and written confirmation from appropriate local officials that the location of such facility and the number of patrons expected to occupy the facility are in compliance with all applicable local ordinances.

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14. WESTERN OFF-TRACK BETTING CORP. APPOINTMENT OF CONCESSIONAIRE FOR AUBURN BRANCH

The Board approved the request by Western OTB to appoint Dean Hollister as the concessionaire of Western OTB's simulcast branch facility located in Auburn.

Approved is conditional upon a satisfactory return of Mr. Hollister's federal fingerprint card.

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15. MONTICELLO RACEWAY REQUEST TO WITHDRAW FROM CAPITAL IMPROVEMENT FUND

The Board approved the request by Monticello Raceway to withdraw \$9,381.54 from the Capital Improvement Fund for reimbursement of the following items:

Advertisement & Promotional

Newspaper Ads	\$8,827.80
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Capital Improvements

Television stands/lumber	382.55
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Water Heater	<u>171.19</u>
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Total	<u>\$ 9,381.54</u>
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16. MONTICELLO RACEWAY REQUEST TO WITHDRAW FROM CAPITAL IMPROVEMENT FUND

The Board approved the request by Monticello Raceway, dated December 18, 1998, to withdraw \$13,971.04 from the Capital Improvement Fund for items previously deferred by staff.

The approved Monticello CIF request consists of:

Chevy Pick-up Truck	\$ 8,025.00
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Blood Analysis System	<u>5,946.04</u>
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Total Approved	<u>\$13,971.04</u>
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17. FINGER LAKES RACEWAY REQUEST TO WITHDRAW FROM CAPITAL IMPROVEMENT

The Board approved the request by Finger Lakes Racetrack to withdraw \$122,198.76 from the Capital Improvement Fund for reimbursement for various capital expenditures incurred by the track.

Approval of the Finger Lakes Racetrack CIF request consists of:

Tractor (John Deere)	\$ 48,790.93
Security System	43,900.00
Currency Counter	5,850.38
Harrow Float Finished Rake	8,572.10
Pressure Washer	3,713.17
Gas Lines	5,759.42
Roof (for salt shed)	2,000,00
Structural Study	2,000.00
Computer (for Superintendent)	970.92
Horse Mats (for test barn)	<u>641.84</u>
Total Approved	<u>\$122,198.76</u>

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18. NYRA REQUEST TO PROVIDE VIDEO ON WEBSITE

At the request of NYRA, the Board deferred the request by NYRA to broadcast the video of races, in addition to the current audio signal, on its website, www.nyra.com.

The Chairman suggested that Board counsel write to NYRA requesting an explanation of the difference between this request and the position taken by NYRA in last summer's lawsuit against the Board.

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19. NYRA - 1999 ROSTER OF RACING OFFICIALS

The Board approved the request by NYRA for 1999 Roster of Racing Officials in **Category I**.

The Board also approved the request to utilize employees listed in **Category II** to serve as substitutes in the event of the temporary absence of designated officials in capacities other than steward or veterinarian.

The Board also approved the request to utilize officials listed in **Category III** as Alternate Stewards to serve for NYRA or the Jockey Club Steward with the exception of Gary Handfield, who needs to be certified by an accredited Steward's program before he can serve in the capacity of Steward.

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20. NYRA - APPROVAL OF AUDITOR

The Board approved Ernst & Young LLP as NYRA's independent auditors for the year ended December 31, 1998, subject to the terms set forth by staff.

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21. NYRA DISTRIBUTION TO PURSES

The Board deferred action on this issue until Monday, March 1, 1999.

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E ITEMS FOR BOARD INFORMATION/DISCUSSION

1. FINGER LAKES 02-25-E

Letter of consent from HBPA for Finger Lakes to simulcast any and all outlets in 1999 with the understanding that the horsemen receive 50% of all simulcasting revenues.

2. NYRA - 01-53-E

Horse Identification - Annual Summary Report for 1998.

3. NYRA - 01-65-E

Financial statement from NYTHA for 1998 Aqueduct Fall Meet.

4. NYRA - 01-66-E

Audit of Finger Lakes commission due to NYRA.

5. CAPITAL DISTRICT REGIONAL OTB CORPORATION - 01-57-E
Notice of Claim regarding Laura & Kenneth Clairmont v. CDROTBC.

6. CAPITAL DISTRICT REGIONAL OTB CORPORATION - 02-26-E
Notice of Claim regarding Joseph Luis v. SONY OTBC.

7. CAPITAL DISTRICT REGIONAL OTB CORPORATION - 02-43-E
Incident Report from Utica Branch which occurred on 2/15/99.

8. CAPITAL DISTRICT REGIONAL OTB CORPORATION - 02-44-E
Notice of Claim regarding John Sarrutto v. CDOTC.

9. ALL REGIONAL OTB's - 02-34-E
Annual Audited Uniform Reporting for all six of the Regional OTB's.

10. REVISED FORMS - GC-7Q - 02-45-D
Quarterly Statement for Bell jar Operations forms - 2 pages.

11. NEW RAFFLE CONSENT FORM - 02-46-E
GC-RCF - 1 page.

12. EMERGENCY RULEMAKING FOR GAMES OF CHANCE & BINGO - 02-47-E
The Notice, etc. was published in the January 22, 1999 New York State Register.

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