



**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF MAY 30, 2012**

A meeting of the New York State Racing and Wagering Board was held on Wednesday, May 30, 2012 at 11:00 a.m. at the Racing & Wagering Board's Schenectady Office located at 1 Broadway Center, Suite 600, Schenectady, New York.

The meeting was called to order at 11:06 a.m.

In Attendance Were:

John D. Sabini, Chairman
Daniel D. Hogan, Member
Charles J. Diamond, Member
Ronald G. Ochrym, Executive Director
Robert Feuerstein, General Counsel
Thomas Casaregola, Audits & Investigations
Kristen Buckley, Acting Secretary to the Board

Also in Attendance Were:

Lee Park, NYSR&WB
Michelle Martin, NYSR&WB
James Kellogg, NYSR&WB
Mark Stuart, NYSR&WB
William Sekellick, NYSR&WB
Stacy Harvey, NYSRWB
Ellen All, NYSRWB
David Lombardo, Daily Gazette
Jim Crane, Crane & Parente

Chairman Sabini announced that the Racing and Wagering Board is installing strict protocols for horses and participants taking part in the June 9 Belmont Stakes. Details of this announcement are attached to the minutes in the form of a press release.

OPEN COMMENT PERIOD: Began: 11:06 a.m. Ended: 11:06 a.m.

Comments were received from Jackson Leeds via e-mail and are attached to the minutes.

No other comments were made.

A. The Board approved the minutes of the Board meeting held on April 30, 2012.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR

1. BATAVIA DOWNS/WESTERN REGIONAL OTB – REQUEST TO CONDUCT 2012 RACING PROMOTIONS

For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the May 7, 2012 application by Batavia Downs/Western Regional Off-Track Betting Corporation to conduct the following promotions and contests during the calendar year 2012:

1. Free Program Night and Magnet Racing Schedule- Monday, July 23, 2012
2. \$2,000 Handicapping Contest- Saturday, August 18, 2012
3. \$1,000 Cash Cube- Saturday, September 1, 2011
4. Annual Labor Day Driver's Bike Race- Monday, September 3, 2011
5. Win Big Or Bust Promotion- Beginning Friday, September 1, 2012 and to be held every Friday following until the end of the meet
6. \$1,000 Handicapping Contest- Saturday, September 22, 2012, and Saturday, October 20, 2012
7. Las Vegas Trip Giveaway- Saturday, October 13, 2012
8. \$1,000 Pick 6 Contest- Saturday, December 1, 2012, Friday, December 7, 2012 and Saturday, December 8, 2012.

2. BUFFALO RACEWAY – REQUEST TO CONDUCT VOUCHER DRAWINGS ON THE WEEKEND OF THE BELMONT STAKES

For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the April 13, 2012 Buffalo Trotting Association request to conduct voucher drawings on Saturday, June 9, 2012 and Sunday, June 10, 2012, Belmont Stakes weekend.

3. BUFFALO RACEWAY – REQUEST TO OFFER DOUBLE POINTS TO ALL PLAYER REWARDS MEMBERS ON SUNDAYS IN JULY

For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the May 2, 2012 Buffalo Trotting Association request to offer double points to all Players Rewards members on all Sundays during the month of July, 2012.

4. **BUFFALO RACEWAY – REQUEST TO ALLOW RACEREPLAYS.COM TO SHOW VIDEO REPLAYS**
For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the request of Buffalo Trotting Association to allow Racereplays.com to show video replays of races from Buffalo Trotting Association through December 31, 2012.

5. **BUFFALO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on April 25, 2012, the New York State Racing and Wagering Board approved Buffalo Trotting Association’s request to simulcast its harness racing programs for wagering purposes to Sol Mutuel Limited, Grenada for the calendar year 2012.

6. For entry into the minutes, on May 2, 2012, the New York State Racing and Wagering Board amended the letter issued April 20, 2012 approving the Buffalo Trotting Association’s request to simulcast its harness racing programs for wagering purposes to Racing and Gaming Services **to rescind approval for the site identified by TRA Code RG1**. The approvals for TRA Code RG2; TRA Code RG4; TRA Code RG5; TRA Code RG6 and TRA Code RG7 only remain in effect.

7. For entry into the minutes, the New York State Racing and Wagering Board amended its letter dated May 2, 2012 to **reinstate approval for thirty (30) days only** for Buffalo Trotting Association’s request to simulcast its harness racing programs for wagering purposes to the **Racing and Gaming Service’s site identified as TRA Code RG1. This approval is valid through June 2, 2012 only** pending further review and without prejudice to any further action.

8. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Buffalo Trotting Association request to simulcast its harness racing programs for wagering purposes for the year 2012 to the following secondary sites associated with the previously approved simulcasts to Churchill Downs Incorporated (Not approved for Luckity.com, TRA Code LKY):
 1. Trackside- Villa Park, TRA Code APP.
 2. Trackside- Orland Hills, TRA Code APO.
 3. Trackside-Waukegen, TRA Code APU.
 4. University Teletrack, TRA Code UNT.
 5. Aurora (The Foundry), TRA Code EPO.
 6. Normal (All Season’s Golf Center), TRA Code BLO.
 7. Players Pub, TRA Code HWP.
 8. Shark City, TRA Code HWG.
 9. Churchill Downs Technology Initiatives Company, TRA Code TWN.
 10. Oaklawn Park, TRA Code OPA.
 11. Velocity Wagering Limited, TRA Codes VW0, VW1, VW2, VW3, VW4, VW5, VW6, VW7, VW8 and VW9.

9. **CAPITAL DISTRICT REGIONAL OTB – MAY 2012 PROMOTIONS**

For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board approved the April 25, 2012 application by the Capital District Regional Off-Track Betting Corporation to conduct the specified handicapping contests and promotion events for May, 2012.

10. **CAPITAL DISTRICT REGIONAL OTB – 2012 VERNON DOWNS PROMOTIONS**

For entry into the minutes, on May 17, 2012, the New York State Racing and Wagering Board approved the May 9, 2012 application by the Capital District Regional Off-Track Betting Corporation to conduct the following handicapping contests and promotion events for Vernon Downs from May through November, 2012:

1. Bankroll Challenge.
2. Online Contests And Double Points.
3. Monthly Bonus.

11. **FINGER LAKES RACETRACK – REQUEST APPROVAL OF NEW RACING OFFICIAL – PETER BROWN**

For entry into the minutes, pursuant to Board Rule 4005.1, on May 3, 2012, the New York State Racing and Wagering Board approved the April 25, 2012 request of Finger Lakes Racing Association to employ Peter Brown as an examining veterinarian for the 2012 racing season.

12. **FINGER LAKES RACETRACK – IMPORT OF VARIOUS LOCATIONS IN 2012**

For entry into the minutes, on May 3, 2012, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. supplemental request to conduct advance wagering on the following races: Kentucky Oaks/ Derby Double, on Friday, May 4 at Churchill Downs; the Kentucky Derby on Saturday, May 5, 2012 at Churchill Downs, with advanced wagering to be conducted on Friday, May 4, 2012; the Black Eyed Susan/ Preakness Stakes Double on Friday, May 18, 2012; the Preakness Stakes on Saturday, May 19, 2012 at Pimlico Race Course, with advanced wagering to be conducted on Friday, May 18, 2012; the Brooklyn Handicap/ Belmont Stakes Double on Friday, June 8, 2012 at Belmont Park; the Belmont Stakes on Saturday, June 9, 2012 at Belmont Park, with advanced wagering to be conduct on Friday, June 8, 2012 and the Breeders Cup on Saturday, November 3, 2012, with advanced wagering to be conducted on Friday, November 2, 2012.

13. **FINGER LAKES RACETRACK – EXPORT TO VARIOUS LOCATIONS IN 2012**

For entry into the minutes, on April 25, 2012, the New York State Racing and Wagering Board approved Finger Lakes Racing Association, Inc.'s request to simulcast its thoroughbred racing programs for wagering purposes to Sol Mutuel Limited, Grenada for the calendar year 2012.

14. For entry into the minutes, on May 2, 2012, the New York State Racing and Wagering Board amended the letter issued April 20, 2012 approving the Finger Lakes Racing Association Inc.'s request to simulcast its thoroughbred racing programs for wagering purposes to Racing and Gaming Services **to rescind approval for the site identified by TRA Code RG1**. The approvals for TRA Code RG2; TRA Code RG4; TRA Code RG5; TRA Code RG6; TRA Code RG7 and TRA Code RG8 only remain in effect.
15. For entry into the minutes, on May 3, 2012, the New York State Racing and Wagering Board approved Finger Lakes Racing Association, Inc.'s request to simulcast its harness racing programs for wagering purposes to Lewiston Raceways, Inc. (for the following one [1] site: TRA Code BRO), Maine for the calendar year 2012. Not approved are TRA Codes: BR4 and BNO.
16. For entry into the minutes, the New York State Racing and Wagering Board amended its letter dated May 2, 2012 to **reinstate approval for thirty (30) days only** for Finger Lakes Racing Association Inc to simulcast its thoroughbred racing programs for wagering purposes to the **Racing and Gaming Service's site identified as TRA Code RG1**. **This approval is valid through June 2, 2012 only** pending further review and without prejudice to any further action.
17. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs for wagering purposes for the year 2012 to www.GanaDondeSea.com, a secondary site associated with the previously approved simulcasts to Stevenson & Associates, Inc.
18. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs for wagering purposes for the year 2012 to Assiniboia Handicapping Contest, TRA Code HXS, a secondary site associated with the previously approved simulcasts to Assiniboia Downs.
19. For entry into the minutes, on May 9, 2012, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs for wagering purposes for the year 2012 to Tiny's Family Restaurant, a secondary site associated with the previously approved simulcasts to Turf Paradise.
20. **MONTICELLO RACEWAY – REQUEST TO CONDUCT A VOUCHER GIVEAWAY PROMOTION**
For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated April 24, 2012 to conduct a voucher giveaway promotion on Saturday, May 5, 2012.

21. **MONTICELLO RACEWAY – REQUEST TO ALLOW MEADOWLANDS RACETRACK TO SHOW VIDEO REPLAYS**
For entry into the minutes, on May 3, 2012, the New York State Racing and Wagering Board approved the request of Monticello Raceway to allow Meadowlands Racetrack to show video replays of races from Monticello Raceway through December 31, 2012.
22. **MONTICELLO RACEWAY – REQUEST TO CONDUCT THE CATSKILL 2012 SPRING PACING SERIES**
For entry into the minutes, on May 9, 2012, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated April 26, 2012, to conduct the Catskill 2012 Spring Pacing Series with the preliminary races to be held Thursday, May 17, 2012, Thursday, May 24, 2012, Thursday, May 31, 2012 and June 14, 2012, with the finals and the consolation to be held on Thursday, June 21, 2012.
23. **MONTICELLO RACEWAY – REQUEST TO ALLOW RACEREPLAYS.COM TO SHOW VIDEO REPLAYS**
For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the request of Monticello Raceway to allow Racereplays.com to show video replays of races from Monticello Raceway through December 31, 2012.
24. **MONTICELLO RACEWAY – REQUEST TO CONDUCT CKG BILLINGS SERIES**
For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated May 22, 2012 to conduct CKG Billings Series races on Thursday, May 31, 2012 and Thursday, June 21, 2012.
25. **MONTICELLO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on May 2, 2012, the New York State Racing and Wagering Board amended the letter issued April 20, 2012 approving Monticello Raceway’s request to simulcast its harness racing programs for wagering purposes to Racing and Gaming Services **to rescind approval for the site identified by TRA Code RG1**. The approvals for TRA Code RG2; TRA Code RG4; TRA Code RG5; TRA Code RG6 and TRA Code RG7 only remain in effect.
26. For entry into the minutes, the New York State Racing and Wagering Board amended its letter dated May 2, 2012 to **reinstate approval for thirty (30) days only** for Monticello Raceway’s request to simulcast its harness racing programs for wagering purposes to the **Racing and Gaming Service’s site identified as TRA Code RG1**. **This approval is valid through June 2, 2012 only** pending further review and without prejudice to any further action.

27. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its harness racing programs for wagering purposes for the year 2012 to the following secondary sites associated with the previously approved simulcasts to Churchill Downs Initiative and Hawthorne Racecourse:
1. Trackside Orland Hills, TRA Code APO.
 2. Shark City OTB, TRA Code HWG.
 3. Players Pub OTB, TRA Code HWP.
28. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its harness racing programs for wagering purposes for the year 2012 to the following secondary sites associated with the previously approved simulcasts to Rideau Carleton Raceway:
1. Atlantic Hotel, TRA Code RAL.
 2. Rubbs Barbeque, TRA Code RBB.
 3. Brockville OTB, TRA Code RLB.
29. For entry into the minutes, on May 9, 2012, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its harness racing programs for wagering purposes for the year 2012 to Coeur D'Alene Casino, TRA Code WRL, a secondary site associated with the previously approved simulcasts to Lewiston Raceway, Inc.
30. **NASSAU REGIONAL OTB – REQUEST TO CONDUCT THE BONUS DEPOSIT FOR NEW ACCOUNT HOLDERS PROMOTION**
For entry into the minutes, on April 25, 2012, the New York State Racing and Wagering Board approved the April 18, 2012 application by the Nassau Regional Off-Track Betting Corporation to conduct the Bonus Deposit promotion for all new account holders through Saturday, June 9, 2012.
31. **NYRA – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board approved New York Racing Association's request to simulcast its thoroughbred racing programs for wagering purposes to Racing and Gaming Services (for the following eight [8] sites: TRA Code RGW; TRA Code RG1; TRA Code RG2; TRA Code RG4; TRA Code RG5; TRA Code RG6; TRA Code RG7 and TRA Code RG8), St. Kitts for the calendar year 2012. Not approved is TRA Code: RG3.
32. For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board amended the letter issued today approving the New York Racing Association's request to simulcast its thoroughbred racing programs for wagering purposes to Racing and Gaming Services **to rescind approval for the site identified by TRA Code RG1.** The approvals for TRA Code RG2; TRA Code RG4; TRA Code RG5; TRA Code RG6; TRA Code RG7 and TRA Code RG8 only remain in effect.

33. For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the New York Racing Association's request to simulcast its thoroughbred racing programs for wagering purposes to Turf De Venezuela (with eighteen [18] secondary sites: El Sitio 11 Race Sports Book Association; Inversiones Klick Club; Equipos V Alimentos El Angel De La Suerte; La Casa Grande; La Reina De La California; Inversiones El Rostro; Hotel Maruma; Self Service La Bolonese; El Patio Hipico; Bar Restaurant Los Bohios Del Bodegon; Inversiones Belmont Park; Inversiones Peregar; Idelka; Inversiones Recreativas Internacionales; Gambling 777 Investor; Bar Restaurant Sports Book Empire; Bar Restaurant Sports Book Millenium and Promotora Osmary), Venezuela for the calendar year 2012.
34. **SARATOGA HARNESS – REQUEST TO CONDUCT THE “BELMONT STAKES TRIP GIVEAWAY” PROMOTION**
For entry into the minutes, on April 27, 2012, the New York State Racing and Wagering Board approved the April 26, 2012 Saratoga Casino and Raceway request to conduct the “Belmont Stakes Trip Giveaway” promotion on Kentucky Derby Day, Saturday, May 5, 2012.
35. **SARATOGA HARNESS – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved Saratoga Casino and Raceway's request to simulcast its harness racing programs for wagering purposes to Las Vegas Dissemination Company (for the following three [3] sites: Avatar Ventures, LLC, TRA Code AVA; Avatar Ventures, LLC: Dark Horse Bet, TRA Code ADH; Elite Turf Club NV, TRA Code ETC), Nevada for the calendar year 2012.
36. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved Saratoga Casino and Raceway's request to simulcast its harness racing programs for wagering purposes to Sol Mutuel Limited, Grenada for the calendar year 2012.
37. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved Saratoga Casino and Raceway's request to simulcast its harness racing programs for wagering purposes to Racing and Gaming Services (for the following eight [8] sites: TRA Code RGW; TRA Code RG1 [Valid only through June, 2, 2012]; TRA Code RG2; TRA Code RG4; TRA Code RG5; TRA Code RG6; TRA Code RG7 and TRA Code RG8) St. Kitts for the calendar year 2012. Not approved is TRA Code: RG3.
38. **SUFFOLK REGIONAL OTB – REQUEST TO CLOSE QWIK BET FACILITY - ISLIP TERRACE**
For entry into the minutes, on April 20, 2012, the New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation's request to amend its plan of operation to reflect the closure of its Qwik Bet, Vincenzo's Restaurant & Pizzeria, located on Sunrise Highway Islip Terrace, New York effective April 10, 2012.

39. **TIOGA DOWNS – REQUEST TO CONDUCT DERBY WEEKEND PROMOTIONS**
For entry into the minutes, on May 3, 2012, the New York State Racing and Wagering Board approved the Tioga Downs request by letter dated May 3, 2012 to conduct the following:
1. Derby Day Hat Contest on May 5, 2012
 2. Sombrero Hat Contest on May 5, 2012
 3. 60 Second Wagering Spree Promotion on May 6, 2012
40. **TIOGA DOWNS – REQUEST TO CONDUCT THE 2012 HORSEPLAY CAR GIVEAWAY**
For entry into the minutes, on May 3, 2012, the New York State Racing and Wagering Board approved the May 3, 2012 Tioga Downs request to conduct the 2012 Horseplay Car Giveaway during the 2012 racing season.
41. **TIOGA DOWNS – REQUEST TO CONDUCT THE “THAT’S MY DRIVER” AND “BOUNCE BACK PROGRAM” PROMOTIONS DURING THE 2012 RACING SEASON**
For entry into the minutes, on May 4, 2012, the New York State Racing and Wagering Board approved the May 4, 2012 request of Tioga Downs to conduct the “That’s My Driver” and “Bounce Back Program” promotions during the 2012 racing season at Tioga Downs.
42. **TIOGA DOWNS – REQUEST TO CONDUCT PROMOTIONS FROM MAY 11, 2012 THROUGH MAY 13, 2012**
For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Tioga Downs request by letter dated May 6, 2012 for approval to conduct the following promotions and contests from Friday, May 11 through Sunday, May 13, 2012:
1. Change Your Luck- May 11, 2012.
 2. Spin To Win- May 12, 2012.
 3. Cash It Or Stash It- May 13, 2012.
43. **TIOGA DOWNS – REQUEST TO CONDUCT THE TIOGA MOBILE CLUB PROMOTION**
For entry into the minutes, on May 14, 2012, the New York State Racing and Wagering Board approved the Tioga Downs request by letter dated May 9, 2012 for approval to conduct the Tioga Mobile Club promotion from Monday, May 14 through Sunday, June 10, 2012.
44. **TIOGA DOWNS – REQUEST TO CONDUCT 2012 PROMOTIONS**
For entry into the minutes, on May 17, 2012, the New York State Racing and Wagering Board approved the Tioga Downs request by letter dated May 6, 2012 for blanket approval to conduct the following promotions and contests for the calendar year 2012:

1. Change Your Luck
2. 60 Second Wagering Spree Promotion
3. Cash It Or Stash It
4. Handicapping Contest
5. That's My Driver Promotion
6. Spin To Win
7. Favorite Vs. The Field
8. Harness Racing Bingo
9. Lousy T-Shirt "Little Brown Jug" and "Hambletonian" Contest.

The Mystery Voucher Giveaway is approved for Saturday, September 15, 2012.

45. **TIOGA DOWNS – REQUEST TO CHANGE POST-TIME ON MAY 27, 2012**
For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the Batavia Downs request by letter dated March 6, 2012 to change their post-time on Sunday, May 27, 2012 from 6:50 p.m. to 6:30 p.m..
46. **TIOGA DOWNS – REQUEST TO CONDUCT THE CKG BILLINGS SERIES RACES**
For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the Tioga Downs request by letter dated May 23, 2012 to conduct CKG Billings Series races on Sunday, July 8, 2012 and Sunday, August 25, 2012.
47. **TIOGA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on May 16, 2012, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Scioto Downs, Ohio through September 8, 2012.
48. **TIOGA DOWNS – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its harness racing programs for wagering purposes to Social Gaming Technologies, Inc., North Dakota for the calendar year 2012.
49. **VERNON DOWNS – REQUEST TO CANCEL LIVE RACING ON WEDNESDAY, AUGUST 29, 2012 AND ADD THURSDAY, AUGUST 23, 2012**
For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board approved the Vernon Downs request by letter dated April 17, 2012 to cancel live racing on Wednesday, August 29, 2012 and to add live racing on Thursday, August 23, 2012. Approval was granted as well to move qualifiers during that week from Friday, August 31, 2012 to Saturday, September 1, 2012.

50. **VERNON DOWNS – REQUEST TO CONDUCT DERBY WEEKEND PROMOTIONS**

For entry into the minutes, on May 3, 2012, the New York State Racing and Wagering Board approved the Vernon Downs request by letter dated May 3, 2012 to conduct the following promotions and contests:

1. Change Your Luck- May 3, 2012
2. Harness Racing Bingo- May 4, 2012
3. Derby Day Hat Contest- May 5, 2012

51. **VERNON DOWNS – REQUEST TO CONDUCT THE 2012 HORSEPLAY CAR GIVEAWAY**

For entry into the minutes, on May 3, 2012, the New York State Racing and Wagering Board approved the May 3, 2012 Vernon Downs request to conduct the 2012 Horseplay Car Giveaway for the remainder of the 2012 racing season.

52. **VERNON DOWNS – REQUEST TO CONDUCT PROMOTIONS FROM MAY 10, 2012 THROUGH MAY 12, 2012**

For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Vernon Downs request by letter dated May 6, 2012 to conduct the following promotions from Thursday, May 10 through Saturday, May 12, 2012:

1. Change Your Luck- May 10, 2012.
2. Cash Cube- May 11, 2012.
3. 60 Second Wagering Spree- May 12, 2012.

53. **VERNON DOWNS – REQUEST TO CONDUCT 2012 PROMOTIONS**

For entry into the minutes, on May 17, 2012, the New York State Racing and Wagering Board approved the Vernon Downs request by letter dated May 6, 2012 for blanket approval to conduct the following promotions and contests for the calendar year 2012:

1. Change Your Luck
2. Cash Cube Promotion
3. 60 Second Wagering Spree Promotion
4. Cash It Or Stash It
5. Handicapping Contest
6. That's My Driver Promotion
7. Spin To Win
8. Favorite Vs. The Field
9. Harness Racing Bingo
10. Lousy T-Shirt "Little Brown Jug" and "Hambletonian" Contest.

The following were approved on only the dates specified, if Vernon Downs wishes to run these promotions more than once approval must be requested:

1. Piece Of The Purse Promotion- Saturday, July 7, 2012
 2. Mystery Voucher Giveaway- Friday, September 7, 2012.
54. **VERNON DOWNS – REQUEST TO CONDUCT THE CKG BILLINGS SERIES RACES**
 For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the Vernon Downs request by letter dated May 23, 2012 to conduct CKG Billings Series races on Saturday, August 18, 2012 and Saturday, September 22, 2012
55. **VERNON DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2012**
 For entry into the minutes, on May 16, 2012, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Scioto Downs, Ohio through September 8, 2012.
56. **VERNON DOWNS – EXPORT TO VARIOUS LOCATIONS IN 2012**
 For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its harness racing programs for wagering purposes to Social Gaming Technologies, Inc., North Dakota for the calendar year 2012.
57. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST FOR BLANKET APPROVAL TO CONDUCT “5’S ARE WILD” PROMOTION**
 For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation/ Batavia Downs request by letter dated April 17, 2012 for blanket approval to conduct the “5’s Are Wild” promotion on Sunday, August 5, 2012 and Wednesday, November 21, 2012 at Batavia Downs and on other dates to be announced at Western Off-Track Betting Corporation branches.
58. **WESTERN REGIONAL OTB – REQUEST TO CONDUCT WAGER GIVEAWAY AT SCOTTSVILLE EZ-BET**
 For entry into the minutes, on May 18, 2012, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request by letter dated May 7, 2012 to conduct a Wager Giveaway promotion at the Scottsville EZ Bet location on Friday, May 18, 2012.
59. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO AMEND WAGERING MENU**
 For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation/ Batavia Downs request by letter dated April 30, 2012 to amend its wagering menu as follows:

- Offer Pick 6 wager with a guaranteed pool of \$1,000;
- Add a superfecta in Race 2, which would make superfecta wagering available in all races except for races 1 and 7;
- Move Pick 4 wagering to begin in race 3;
- Move the late Daily Double to the last two races of the night;
- Lower the minimum bet on Trifecta wagering to 50 cents with a \$1.00 minimum wager.

60. WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO CONDUCT THE HORSE PLAYER WORLD SERIES HANDICAPPING CONTEST QUALIFIER

For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the May 15, 2012 application by the Western Regional Off-Track Betting Corporation to conduct the Horse Player World Series Handicapping Contest Qualifier at Batavia Downs on Saturday, July 14, 2012.

61. WESTERN REGIONAL OTB – REQUEST TO CONDUCT A “LADIES NIGHT” PARTY AT THE WEBSTER BRANCH

For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request by letter dated May 16, 2012 to conduct a “Ladies Night” party at the Webster Branch on Wednesday, July 18, 2012.

62. WESTERN REGIONAL OTB – REQUEST TO CONDUCT A 25-YEAR ANNIVERSARY PARTY AT THE GATES BRANCH

For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request by letter dated May 16, 2012 to conduct a 25-Year Anniversary party at the Gates Branch on Friday, July 13, 2012.

63. YONKERS RACEWAY – REQUEST TO CHANGE GUARANTEED PICK FOUR POOLS ON MONDAYS AND TUESDAYS

For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the May 16, 2012 Yonkers Raceway request to increase the guarantee on the Monday and Tuesday Pick 4 pools from the current \$20,000 to \$25,000 beginning upon Board approval and then to \$30,000, three weeks after receiving Board approval.

64. YONKERS RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2012

For entry into the minutes, on April 27, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from April 28 through July 1, 2012.

65. For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races for the Monmouth Park meet at Meadowlands Racetrack, New Jersey on Friday, May 4 and Saturday, May 5, 2012.
66. For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ajax Downs, Ontario, Canada for the calendar year 2012.
67. For entry into the minutes, on May 1, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Sunray Park and Casino, New Mexico through June 26, 2012.
68. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Arlington Park, Illinois through September 30, 2012.
69. For entry into the minutes, on May 9, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Delaware Park, Delaware from May 12 through November 3, 2012.
70. For entry into the minutes, on May 11, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Monmouth Park, New Jersey from May 12 through October 7, 2012.
71. For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Louisiana Downs, Louisiana through September 23, 2012.
72. **YONKERS RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on April 25, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes to Sol Mutuel Limited, Grenada for the calendar year 2012.
73. For entry into the minutes, on May 2, 2012, the New York State Racing and Wagering Board amended the letter issued January 20, 2012 approving the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to Racing and Gaming Services **to rescind approval for the site identified by TRA Code RG1**. The approvals for TRA Code RG2; TRA Code RG4; TRA Code RG5; TRA Code RG6 and TRA Code RG7 only remain in effect.

74. For entry into the minutes, the New York State Racing and Wagering Board amended its letter dated May 2, 2012 to **reinstate approval for thirty (30) days only** for Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to the **Racing and Gaming Service's site identified as TRA Code RG1. This approval is valid through June 2, 2012 only** pending further review and without prejudice to any further action.
75. For entry into the minutes, on May 8, 2012, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to Old Evangeline Downs (with five [5] secondary sites: Races and Aces Port Allen OTB, Races and Aces Henderson/Breaux Bridge OTB, Races and Aces Eunice OTB, Races and Aces St. Martinville and BetLouisiana.com), Louisiana for the calendar year 2012.

C. ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE BOARD

1. **WESTERN REGIONAL OTB/BATAVIA DOWNS – RE-ROOFING OF BATAVIA DOWNS FACILITY AS PHASE ONE OF THE RELOCATION OF VIDEO GAMING ACTIVITIES TO THE FIRST FLOOR**
For entry into the minutes, on May 9, 2012, the New York State Racing and Wagering Board approved the construction work detailed in the City of Batavia Building Permit dated May 7, 2012. This work, related to re-roofing of the entire Batavia Downs facility, was approved pursuant to Section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law.
2. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO AMEND CASH REWARDS PROGRAM – QUARTERLY BONUS REWARDS**
For entry into the minutes, on May 16, 2012, the New York State Racing and Wagering Board (Board) approved Capital District Regional Off-Track Betting Corporation's request to amend its Player Rewards Program to terminate the year end bonus program and offer quarter end bonuses as specified in its May 1, 2012 application. Board approval is required before Capital District Regional Off-Track Betting Corporation may terminate the program.
3. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO AMEND CASH REWARDS PROGRAM – CONVERT POINTS TO DOLLARS**
On May 16, 2012, the New York State Racing and Wagering Board approved Capital District Regional Off-Track Betting Corporation's request to amend its Player Rewards Program to convert its point based system to a cash based system as specified in its May 11, 2012 application.
4. **NOTICE OF EMERGENCY RULEMAKING – REIMBURSEMENT RULE FOR HARNESS RACING OFFICIALS**
For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board approved the adoption by emergency rule making of a new

Section 4101.41 to 9E NYCRR of the Board's harness rules. This amendment implements Part Y of Chapter 58 of the Laws of 2012 pursuant to which the costs for one associate judge and the starter will be reimbursed by each licensed racing corporation where the associate judge or starter is employed. This rule will be in effect for 90 days once filed with the New York State Department of State.

5. **IN THE MATTER OF LUIS ("LOU") PENA – SUMMARY SUSPENSION**
For entry into the minutes, on May 24, 2012, the New York State Racing and Wagering Board summarily suspended the harness owner and trainer's license of Luis Pena based upon a finding that the public safety and welfare imperatively required this emergency action.

D. ITEMS APPROVED, DENIED OR DEFERRED BY THE BOARD

1. **MONTICELLO RACEWAY – 2012 TRACK AND SIMULCAST LICENSE APPLICATIONS**

The New York State Racing and Wagering Board granted the Monticello Raceway Management, Inc. track and simulcast licenses for 2012.

The Board assigned the remainder of the 207 racing programs requested on the dates specified and at the post-times requested. The Board approved the plan relating to the Totalisator Room Security (Rule 5100.23[d]).

The 2012 track and simulcast licenses are conditioned upon the following:

- Compliance with all applicable provisions of the Racing, Pari-Mutuel Wagering and Breeding Law, Board rules and orders and directives of the New York State Racing and Wagering Board. These include but are not limited to the following:
 - a. Retransmission of your simulcast signal by authorized recipients to secondary recipients is not allowable without disclosure within the contract of the names and locations of all secondary recipients.
 - b. The Board has the authority to audit the out-of-state receiving site's books and records (including all secondary sites that receive your simulcast) and must be noted in any simulcast agreement entered into for your simulcast signal. Included within the agreement must be reference that the guest shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of your simulcast transactions, if not included within individual contracts, must be supplied to the Board.
 - c. Any agreement which you are party to is subject to the requirements of the host and guest states with any provision mandated by either jurisdiction with such

provisions specifically incorporated into contract by reference. Both parties, including any Secondary Recipients, shall comply with the provisions of all-applicable Federal, State and local laws and regulations.

- d. An SOC I Type II (formerly SAS-70 Type II) audit is to be performed for the current licensing period on the totalizator operations utilized and located at your facility. The report is to be filed with the Board no later than October 31, 2012.
- e. Rule 5100.2(b)(1), which requires that the track's totalizator system be in compliance with Rule 5100.24(1)-Independent Monitoring System.

The 2012 track and simulcast licenses are also conditioned on the following:

- Monticello Raceway and ERI shall continue to cooperate with staff in resolving the outstanding issues relating to the Bryanston/Tollman and Garland Business Corp. shares;
- Monticello Raceway and ERI shall immediately notify the Board in writing in the event of changes of any facts or circumstances set forth in Monticello Raceway's April 23, 2012 letter.

2. **WESTERN REGIONAL OTB – NEW EZ-BET – DANNY’S RESTAURANT - BUFFALO**

The New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation simulcast plan of operation to authorize the operation of an EZ Bet simulcast facility located in Danny's Restaurant, 3715 Genesee St., Cheektowaga, NY.

3. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REPLACEMENT OF ROOF SIGNAGE AS PART OF THE RELOCATION OF VIDEO GAMING ACTIVITIES TO THE FIRST FLOOR**

The New York State Racing and Wagering Board approved the construction work detailed in the Town of Batavia Building Permit dated May 3, 2012. This work, related to replacement of the roof signage at the Batavia Downs facility, was approved pursuant to Section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law.

4. **SUFFOLK REGIONAL OTB – REQUEST TO APPOINT NEW PRESIDENT - PHILIP C. NOLAN**

The New York State Racing and Wagering Board approved the request of Suffolk Regional Off-Track Betting Corporation to amend its plan of operation to reflect the appointment of Philip C. Nolan to the position of President of Suffolk Regional Off-Track Betting Corporation effective July 1, 2012.

5. **SARATOGA HARNESS – 9 HORSE FIELDS**

The New York State Racing and Wagering Board authorized Saratoga Harness Racing, Inc. to use nine (9) horse fields in overnight races during the 2012 racing season at Saratoga Gaming and Raceway, subject to conditions set forth in the Directive dated May 30, 2012.

6. **BUFFALO RACEWAY – REQUEST TO AMEND PLAYER REWARDS PROGRAM**

The New York State Racing and Wagering Board approved Buffalo Trotting Association Inc.'s request to amend its player rewards program to allow:

Members wagering \$5,000 or more in one business day will receive two (2) rewards points for every dollar wagered on participating in-state and out-of-state thoroughbred races and two (2) rewards points for every dollar wagered on participating in-state and out-of-state harness races net of refunds.

7. **CATSKILL REGIONAL OTB – AMENDMENT AND EXTENSION OF TOTE AGREEMENT**

The New York State Racing and Wagering Board approved the totalisator agreement dated November 4, 2009 between the Catskill Regional Off-Track Betting Corporation and Sportech Racing, LLC (formerly Scientific Games Racing, LLC).

8. **FIVE YEAR REVIEW OF RULES FOR CALENDAR YEARS 1997, 2002 AND 2007**

Pursuant to Section 207 of the State Administrative Procedure Act, the New York State Racing and Wagering Board approved the continuation without modification of the rules adopted in 1997, 2002 and 2007.

9. **PROPOSED RULEMAKING – RACING REIMBURSEMENT FEE – HARNESS RACING**

The New York State Racing and Wagering Board approved the proposal to add new Section 4101.41 to 9E NYCRR of the Board's harness rules. This amendment implements Part Y of Chapter 58 of the Laws of 2012 pursuant to which the costs for one associate judge and the starter will be reimbursed by each licensed racing corporation where the associate judge or starter is employed.

10. **NOTICE OF ADOPTION - AMENDMENT OF HORSE RACING RULES PURSUANT TO MARRIAGE EQUALITY ACT OF 2011**

The New York State Racing and Wagering Board approved amendments to Sections 4002.14(b), 4100.1(a)(44), 4102.3(d), 4205.6(b) and 4205.1(g) of 9 NYCRR to remove any references in the Board's rules that could give the appearance of unequal treatment of persons in a different-sex and same-sex marriage.

11. **IN THE MATTER OF RYAN CURATOLO**

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that the seven (7) day license suspension of Ryan Curatolo for riding carelessly during the running of the 10th race at Belmont Park on May 29, 2011, in violation of Board Rule 4035.2(d), be upheld.

12. **IN THE MATTER OF JUSTIN B. MEAGHER**

The New York State Racing and Wagering Board upheld the recommendation of Hearing Officer Clemente J. Parente and suspended the harness owner's license of Justin B. Meagher pending disposition of pending criminal charges with revocation if he is convicted of any of the pending charges.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. **INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for April 1, 2012 through April 30, 2012. Also included were the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo and Seneca Niagara.

2. **LICENSING/CURRENT LICENSE COUNT**

The racing licensing counts as of April 30, 2012 since January 1, 2012 were as follows: total receipts 5,351 and total licenses 4,028 for the year 2012.

3. **GAMES OF CHANCE/BELL JAR TICKETS**

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between April 1, 2012 and April 30, 2012.

4. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**

List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit from April 3, 2012 through May 2, 2012.

5. **2012 LICENSED SUPPLIERS**

List of licensed suppliers - manufacturers' and distributors' licenses issued for the time period of April 1, 2012 through April 30, 2012.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

None.

The meeting adjourned at 11:45 a.m.