



**MINUTES  
NEW YORK STATE RACING AND WAGERING BOARD  
MEETING OF AUGUST 28, 2008**

**A meeting of the New York State Racing and Wagering Board was held on Thursday, August 28, 2008 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 11:14 a.m.**

**In Attendance Were:**

John D. Sabini, Chairman  
Daniel D. Hogan, Member  
John B. Simoni, Member  
John Cansdale, Executive Director  
Robert Feuerstein, General Counsel  
Joseph Lynch, Director of Racing Operations  
Thomas Casaregola, Audits & Investigations  
Gail Pronti, Secretary to the Board

**Also in Attendance Were:**

Daniel Toomey, NYSR&WB  
Kristen Buckley, NYSR&WB  
Vivian Davis, NYSR&WB  
William Sekellick, NYSR&WB  
Mark Stuart, NYSR&WB  
Tom Thill, NYRA  
Pasquale Viscusi, NYRA  
Robert Hemsworth, Capital OTB  
Jim Crane, Crane, Greene & Parente

**OPEN COMMENT PERIOD:** Member Hogan introduced the new Chairman, John B. Sabini and thanked former Chair and Board Member Michael J. Hoblock for his service to the Board and the State.

- A. The Board approved the minutes of the Board meeting held on July 14, 2008. Chairman Sabini abstained from voting on this matter.

**B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR**

1. **BUFFALO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Meadows, Pennsylvania through December 31, 2008.

- 2. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races during the year 2008, unless otherwise limited, from:

- 1. Del Mar Thoroughbred Club, California through September 3, 2008
- 2. FR Park Racing, LP(Freehold Raceway), New Jersey
- 3. The Red Mile, Kentucky through October 4, 2008.

- 3. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida through December 31, 2008.

- 4. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York during the year 2008.

- 5. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Delaware County Fair, Ohio from September 14, 2008 through September 18, 2008 and the conduct of Future Win Wagering on the 2008 Little Brown Jug.

- 6. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Penn National Race Course, Pennsylvania through December 31, 2008.

7. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Northfield Park Associates, Ohio through December 31, 2008.
8. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO OFFER PROMOTIONS – JULY 23 THROUGH SEPT. 1, 2008**  
For entry into the minutes, on July 18, 2008, the New York State Racing and Wagering Board approved the Capital District Regional Off-Track Betting Corporation request to conduct the various promotions and handicapping contests, during the period July 23 through September 1, 2008, specified in the July 8, 2008 application to the Board.
9. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Delaware County Fair, Ohio from September 14, 2008 through September 18, 2008 and the conduct of Little Brown Jug Future Wagers in all three Future Wager Pools.
10. For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California through September 3, 2008.
11. For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Capital District Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York during the year 2008.
12. **CATSKILL REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of Catskill Regional Off-Track Betting Corporation, Western Regional Off-Track Betting Corporation, Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California through September 3, 2008.
13. For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of Catskill Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races during 2008 from The Red Mile in Kentucky.

14. For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Catskill Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from The Delaware County Fair from September 14, 2008 through September 18, 2008 and the conduct of Future Win Wagering on the 2008 Little Brown Jug.
15. For entry into the minutes, on July 16, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of Catskill Regional Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Pompano Park, Florida through December 31, 2008.
16. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of Catskill Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Harrah's Louisiana Downs, Louisiana through October 18, 2008.
17. **FINGER LAKES RACETRACK – REQUEST TO AMEND JULY 2008 PROMOTION**  
For entry into the minutes, on July 1, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association request to conduct the Revised New York Derby Day promotion at Finger Lakes Racetrack on July 12, 2008.
18. **FINGER LAKES RACETRACK – REQUEST TO CONDUCT PROMOTIONS FOR JULY, AUGUST & SEPTEMBER 2008**  
For entry into the minutes, on July 10, 2008, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to conduct handicapping challenges on the Saturdays of July 26, August 23 and September 27, 2007 with the final of this contest held on Saturday, October 11, 2008.
19. **FINGER LAKES RACETRACK – REQUEST TO CONDUCT PROMOTIONS FOR AUGUST & LABOR DAY WEEKEND 2008**  
For entry into the minutes, on July 17, 2008, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to conduct the “Atmospheric Packages” promotion on September 1, 2008.
20. **FINGER LAKES RACETRACK – REQUEST TO APPOINT NEW EXAMINING VETERINARIAN - LOMBARD**  
For entry into the minutes, pursuant to Rule 4005.1, on July 30, 2008, the NYS Racing and Wagering Board approved the employment of Dr. James A. Lombard as an examining veterinarian for the remainder of the 2008 season at Finger Lakes Gaming and Racetrack.

This approval is conditioned upon the satisfactory review of the federal fingerprint based criminal history report.

21. **FINGER LAKES RACETRACK – REQUEST TO CONDUCT MYSTERY VOUCHER PROMOTION**  
For entry into the minutes, on August 5, 2008, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to conduct a “Mystery Voucher” promotion on Sunday, August 17, 2008 in accordance with their request dated July 22, 2008.
22. **FINGER LAKES RACETRACK – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California through September 3, 2008.
23. For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Tioga Downs, New York through December 31, 2008.
24. For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida, through December 31, 2008.
25. For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York during the year 2008.
26. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Yonkers Raceway, New York during the remainder of 2008.
27. **FINGER LAKES RACETRACK – REQUEST TO EXPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 2, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to the following additional secondary site, Harrah’s Resort Atlantic City (New Jersey), associated with the previously approved simulcasts to Atlantic City Casinos, New Jersey.
28. For entry into the minutes, on July 2, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during 2008 to Autotote Enterprises (Connecticut) by approving through December 31, 2008 the following sites:

1. John Martin's Manor (Maine)
  2. Ho-Chunk Casino Racebook (Wisconsin).
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29. For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the remainder of 2008 to Flamboro Downs Limited, Ontario, Canada.
  30. For entry into the minutes, on July 17, 2008, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs during the year 2008 to the following additional entity, Pinnacle Race Course, Michigan, associated with the previously approved simulcasts to Track Net Media Group, Kentucky.
  31. **MONTICELLO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on July 1, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ellis Park, Ohio through September 1, 2008.
  32. For entry into the minutes, on July 2, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Indiana Downs, Indiana through November 8, 2008.
  33. For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida through December 31, 2008.
  34. For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from NJSEA (Meadowlands), New Jersey through August 31, 2008.
  35. For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California through September 3, 2008.
  36. For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Delaware County Fair, Ohio through September 18, 2008.

37. For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Red Mile, Kentucky through October 4, 2008.
38. For entry into the minutes, on July 16, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Pompano Park, Florida through December 31, 2008.
39. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York during the year 2008.
40. For entry into the minutes, on July 29, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Northfield Park Associates, LLC, Ohio for the remainder of 2008.
41. For entry into the minutes, on July 29, 2008, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from:
  1. Laurel Park, Maryland, August 8, 2008 through August 21, 2008
  2. Timonium, Maryland, August 22, 2008 through September 1, 2008.
42. **MONTICELLO RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on July 2, 2008, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its standardbred racing programs during the year 2008 to the following additional secondary site, Harrah’s Resort Atlantic City, associated with the previously approved simulcasts to Atlantic City Casinos, New Jersey.
43. **NASSAU REGIONAL OTB – REQUEST TO OFFER “SARATOGA SOUTH” PROMOTION AT THE RACE PALACE TELETHEATER**

For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved the Nassau Regional Off-Track Betting Corporation request to offer half priced admission to anyone who is part of a group of four or more at the Race Palace Teletheater from July 23 through September 1, 2008.
44. **NASSAU REGIONAL OTB – REQUEST TO CONDUCT DOUBLE YOUR MONEY PROMOTION**

For entry into the minutes, on July 24, 2008, the New York State Racing and Wagering Board approved the July 16, 2008 Nassau Regional Off-Track Betting Corporation request to conduct the “Double Your Money” promotion for new account wagering customers during the period August 1-31, 2008.

45. **NASSAU REGIONAL OTB – REQUEST TO CONDUCT MONDAY MINUTE MADNESS PROMOTION**  
For entry into the minutes, on July 24, 2008, the New York State Racing and Wagering Board approved the July 15, 2008 Nassau Regional Off-Track Betting Corporation request to conduct the “Monday Minute Madness” promotion on August 4, 11, 18, and 25, 2008.
46. **NEW YORK CITY OTB – REQUEST TO CONDUCT AUGUST SARATOGA MADNESS PROMOTION**  
For entry into the minutes, on July 29, 2008, the New York State Racing and Wagering Board approved the New York City Off-Track Betting Corporation request dated July 25, 2008 to amend its plan of operation to conduct an August Saratoga Madness promotion from Friday, August 1 until Saturday, August 30, 2008. This contest will involve all branches as well as all telephone and Internet customers who desire to enter the contest on the chosen days, usually Thursday, Fridays and Saturdays.
47. **NEW YORK CITY OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California through September 3, 2008.
48. For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky through September 1, 2008.
49. For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from NJSEA (Meadowlands/Monmouth), New Jersey during the remainder of 2008.
50. **NYRA - REQUEST FOR EMERGENCY EXTENSION OF SIMULCASTING**  
For entry into the minutes, on July 14, 2008, the New York State Racing and Wagering Board acted upon the July 11, 2008 request of The New York Racing Association, Inc. to extend the approval of “all of NYRA’s relevant 2007 import and export simulcast agreements, subject to any negotiated rate or other changes for 2008 (i.e., the 2007 import and export simulcast agreements that have already been extended ...),” and all of NYRA’s relevant 2008 export simulcast agreements and content agreements between NYRA and TVG, Youbet, and Track Net.

Based upon the above request, and in consideration of the Board’s receipt of the July 11, 2008 FIFTH AMENDMENT TO STIPULATION RELATING TO, AMONG OTHER THINGS, THE OPERATION OF THE RACETRACKS, dated December 31, 2007, and the July 14, 2008 letter of the Non-Profit Racing Association Oversight



Board, and pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Article X, the Board extended its prior approvals of NYRA's 2007 simulcast imports and exports, and the approvals of simulcasts to Youbet.com, TVG Network, TrackNet Media Group, and the related content agreements through the earlier of (i) August 28, 2008 or (ii) further action of the Board.

**51. NYRA - REQUEST FOR EXTENSION OF JOCKEY APPRENTICESHIP – TZE ONN CHANG**

For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an extension for the qualified apprentice year of jockey Tze Onn Chang of an additional one hundred sixty-one (161) days. The date of record for the expiration of his apprenticeship allowance is now Saturday, October 11, 2008 or the date of his 40<sup>th</sup> winning mount.

**52. NYRA – REQUEST TO OFFER “EARN A COOL \$500” NYRA REWARDS PROMOTION**

For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved the New York Racing Association request to conduct the “Earn a Cool \$500.00” NYRA Rewards promotion from Wednesday, July 23 through August 28, 2008 without prejudice to reapplication through September 1, 2008.

**53. NYRA – GUARANTEED AMOUNTS - PICK 4 FOR WHITNEY HANDICAP DAY AND PICK 4 FOR TRAVERS STAKES DAY**

For entry into the minutes, on July 15, 2008, the NYS Racing and Wagering Board approved the New York Racing Association request to conduct a \$500,000 guaranteed Pick Four Wager Pool on July 26, 2008 (Whitney Handicap Day) and a \$1,000,000 guaranteed Pick Four Wager Pool on August 23, 2008 (Travers Stakes Day).

**54. NYRA – SUPERFECTA WAGERING ON 2008 TRAVERS STAKES**

For entry into the minutes, on July 15, 2008, the NYS Racing and Wagering Board approved the New York Racing Association's request to offer Superfecta wagering on the Travers Stakes at Saratoga Race course on August 23, 2008 provided there are a minimum of seven (7) betting interests.

**55. NYRA – REQUEST TO OFFER WAGERING PROMOTIONS FOR SARATOGA MEET**

For entry into the minutes, on July 22, 2008, the New York State Racing and Wagering Board approved the June 20, 2008 New York Racing Association request to offer and conduct the following wagers at the 2008 Saratoga Race Course meeting:

- Rolling daily doubles in every race qualifying for same
- Superfectas in every race qualifying for same
- Advance deposit wagering for the 2008 Travers Stakes on the day prior to the race.

56. **NYRA – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 17, 2008, the New York State Racing and Wagering Board approved an amendment to The New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Pinnacle Race Course, Michigan through August 28, 2008.
57. For entry into the minutes, on July 29, 2008, the New York State Racing and Wagering Board approved an amendment to The New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Canterbury Park, Minnesota (Claiming Crown Event) on August 2, 2008.
58. **NYRA – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 8, 2008, 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 for the remainder of 2008 to the following additional secondary site, Harrah’s Atlantic City Operating Company, LLC (Harrah’s Resort Atlantic City) associated with the previously approved simulcasts to Atlantic City Casinos, New Jersey.
59. For entry into the minutes, on July 15, 2008, 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 Pinnacle Race Course, Michigan through August 28, 2008, without prejudice to reapplication.
60. For entry into the minutes, on July 17, 2008, 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 Am West Entertainment ADW, Oregon through August 28, 2008.
61. For entry into the minutes, on July 25, 2008, 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 for the year 2008 to the following additional secondary sites associated with the previously approved simulcasts to Remington Park, Oklahoma:
1. Win Star Casino, Oklahoma
  2. Just For Fun, Oklahoma.
62. **SARATOGA GAMING AND RACEWAY – REQUEST TO CONDUCT HANDICAPPING CONTESTS IN AUGUST 2008**  
For entry into the minutes, on July 10, 2008, the NYS Racing and Wagering Board approved the Saratoga Gaming and Raceway request to conduct handicapping contests on August 1, 8, 15, and 22, 2008.

63. **SARATOGA GAMING AND RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California through September 3, 2008.
64. For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from The New York Racing Association (Saratoga Race Course meet), New York from July 23, 2008 through August 28, 2008, without prejudice to reapplication.
65. For entry into the minutes, on July 29, 2008, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming & Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Red Mile, Kentucky through October 4, 2008.
66. **SUFFOLK REGIONAL OTB – QUIK BET GRAND OPENING PROMOTION – JON THOMAS INNE**  
For entry into the minutes, on July 1, 2008, the New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation’s request to amend their plan of operation to conduct a “grand opening” promotion of a Quik Bet at the Jon Thomas Inne in Brightwaters, N.Y. which is in Suffolk County.
67. **SUFFOLK REGIONAL OTB – REQUEST TO OFFER TWO SARATOGA GRAND OPENING DAY PROMOTIONS**  
For entry into the minutes, on July 10, 2008, the NYS Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation’s request to conduct two promotions during the first week of the 2008 Saratoga Racecourse season.
68. **SUFFOLK REGIONAL OTB – REQUEST FOR APPROVAL TO APPOINT NEW DIRECTOR – EDDIE S. WYNN**  
For entry into the minutes, on July 24, 2008, the New York State Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting Corporation plan of operation to reflect the appointment of Eddie S. Wynn as a new member of its Board of Directors. Mr. Wynn replaces Patrick E. Byrne.
- This approval is conditioned on the receipt of a satisfactory return of Mr. Wynn’s fingerprint-based federal criminal history report.
69. **TIOGA DOWNS – REQUEST TO CONDUCT A HORSE PLAY CAR GIVEAWAY CONTEST**  
For entry into the minutes, on July 10, 2008, the NYS Racing and Wagering Board approved the American Racing-Tioga Downs, Inc. request to conduct the Horse Play Car giveaway contest from July 11 through September 21, 2008, at the Tioga Downs Racetrack in accordance with the revised rules dated July 10, 2008.

70. **TIOGA DOWNS – REQUEST TO CHANGE FIRST POST-TIME ON JULY 13, 2008 TO 2:30 PM**  
For entry into the minutes, on July 10, 2008, the NYS Racing and Wagering Board approved the American Racing-Tioga Downs, Inc. request to change the post-time for the first race on Sunday, July 13 from 1:15 p.m. to 2:30 p.m.
71. **TIOGA DOWNS – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 1, 2008, 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 Wyoming Downs, Wyoming through August 17, 2008.
72. For entry into the minutes, on July 2, 2008, 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 NJSEA (Meadowlands), New Jersey, through August 31, 2008.
73. For entry into the minutes, on July 2, 2008, 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 NJSEA (Monmouth), New Jersey during the remainder of 2008.
74. For entry into the minutes, on July 10, 2008, 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 The Delaware County Fair, Ohio from September 14, 2008, through September 18, 2008 and the conduct of Little Brown Jug Future wagers in all three Future Wager pools.
75. For entry into the minutes, on July 17, 2008, 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 PPI, Inc. d/b/a Pompano Park Racing, Florida through December 31, 2008.
76. For entry into the minutes, on July 17, 2008, 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 Calder Racecourse, Florida through December 31, 2008.
77. For entry into the minutes, on July 23, 2008, 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 Del Mar Thoroughbred Club, California through September 3, 2008.
78. For entry into the minutes, on July 23, 2008, 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 Georgian Downs Limited, Ontario, Canada through December 30, 2008.

79. **TIOGA DOWNS – REQUEST TO EXPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2008 to Finger Lakes Race Track, New York.
80. For entry into the minutes, on July 17, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Woodbine Entertainment Group (with thirty three [33] secondary sites), Ontario, Canada.
81. For entry into the minutes, on July 23, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Georgian Downs Limited (with two [2] secondary sites), Ontario, Canada.
82. For entry into the minutes, on July 29, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes for the remainder of 2008 to Kawartha Downs Raceway, Inc. (with two [2] secondary sites), Ontario, Canada.
83. For entry into the minutes, on August 1, 2008, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to Windsor Raceway, Inc. (with five [5] secondary sites), Ontario, Canada.
84. **VERNON DOWNS – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 1, 2008, 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 Wyoming Downs, Wyoming through August 17, 2008.
85. For entry into the minutes, on July 2, 2008, 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 NJSEA (Meadowlands), New Jersey, through August 31, 2008.
86. For entry into the minutes, on July 2, 2008, 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 NJSEA (Monmouth), New Jersey during the remainder of 2008.
87. For entry into the minutes, on July 10, 2008, 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 The Delaware County Fair, Ohio from September 14, 2008, through September 18, 2008 and the conduct of Little Brown Jug Future wagers in all three Future Wager pools.

88. For entry into the minutes, on July 17, 2008, 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 PPI, Inc. d/b/a Pompano Park Racing, Florida through December 31, 2008.
89. For entry into the minutes, on July 17, 2008, 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 Calder Racecourse, Florida through December 31, 2008.
90. For entry into the minutes, on July 23, 2008, 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 Del Mar Thoroughbred Club, California through September 3, 2008.
91. For entry into the minutes, on July 23, 2008, 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 Georgian Downs Limited, Ontario, Canada through December 30, 2008.
92. **VERNON DOWNS – REQUEST TO EXPORT VARIOUS LOCATIONS IN 2008**  
For entry into the minutes, on July 10, 2008, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes during the remainder of 2008 to Rockingham Park (with two [2] secondary sites), New Hampshire.
93. **BATAVIA DOWNS/WESTERN REGIONAL OTB - REQUEST FOR APPROVAL OF 2008 RACING PROMOTIONS**  
For entry into the minutes, on July 10, 2008, the NYS Racing and Wagering Board approved the Western OTB/Batavia Downs request to conduct the following 2008 promotions at Batavia Downs:
- Friday Night Handicapping Contests beginning August 15, 2008
  - Crazy Eights Promotion on August 8, 2008
  - Cruising' the Downs' Car Show on September 6, 2008
  - Pick Six Promotion on December 5 and 6, 2008.
- The remainder of the promotions do not require Board approval.
94. **WESTERN REGIONAL OTB/BATAVIA DOWNS - REQUEST TO OFFER ALL-STAR DRIVERS' CHALLENGE**  
For entry into the minutes, on July 25, 2008, the NYS Racing and Wagering Board approved the Batavia Downs request to conduct the Driver's Challenge at Batavia Downs on Wednesdays, September 10 through October 29, 2008, in accordance with the terms of the July 16, 2008 revised application.

95. **YONKERS RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on July 1, 2008, 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 Ellis Park, Kentucky through September 1, 2008.

96. For entry into the minutes, on July 2, 2008, 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 NJSEA (Meadowlands) New Jersey through August 31, 2008.
97. For entry into the minutes, on July 10, 2008, 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 California Authority of Fairs (eight [8] sites), California through October 13, 2008.
98. For entry into the minutes, on July 15, 2008, 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 Calder Race Course, Florida through December 31, 2008.
99. For entry into the minutes, on July 23, 2008, 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 Del Mar Thoroughbred Club, California through September 3, 2008.
100. For entry into the minutes, on July 23, 2008, 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 Pinnacle Race Course, Michigan through November 2, 2008.
101. For entry into the minutes, on July 23, 2008, 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 PPI, Inc. d/b/a Pompano Park, Florida through December 31, 2008.
102. For entry into the minutes, on July 25, 2008, 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 Prairie Meadows, Iowa through September 20, 2008.
103. For entry into the minutes, on July 25, 2008, 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:
1. Laurel Park, Maryland through August 21, 2008
  2. Timonium, Maryland through September 1, 2008.

104. **YONKERS RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on July 15, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes during the year 2008 to the following additional secondary site, Harrah's Atlantic City Operating Company, LLC (Harrah's Resort Atlantic City) associated with the previously approved simulcasts to Atlantic City Casinos, New Jersey.

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

1. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO MODIFY CASH REWARD PROGRAM FOR SPECIAL PROMOTIONAL OFFER**

For entry into the minutes, on July 2, 2008, the New York State Racing and Wagering Board approved Capital District Regional Off-Track Betting Corporation's request to temporarily modify the Capital Cash Rewards Program retroactively from June 1, 2008 through December 31, 2008 as outlined in the correspondence dated June 30, 2008.

This approval is subject to the same conditions of the Board's July 31, 2007 approval of the Capital OTB Player Rewards Program. The wagering categories for calculating rewards will return to the approved July 31, 2007 levels after December 31, 2008.

2. **NASSAU REGIONAL OTB – REQUEST TO RELOCATE SCIENTIFIC GAMES TRACKPLAY ONLINE INTERNET SYSTEM TO CALIFORNIA**

For entry into the minutes, on July 2, 2008, the New York State Racing and Wagering Board approved the request by Nassau Regional Off-Track Betting Corporation to amend its plan of operation for Internet Wagering to relocate a portion of the online Internet system as described in the submission dated June 25, 2008 conditioned upon the following:

The Scientific Games Racing LLC computer servers that are responsible for the "Racing Data and Transaction Management" services for all of NROTB's pari-mutuel wagering must continue to be located at NROTB's current location.

3. **IN THE MATTER OF SCOTT SCOFIELD**

For entry into the minutes, the harness trainer-driver license of Scott Scofield was summarily suspended by the Board on July 14, 2008, based on a positive test report for cocaine in violation of the Racing, Pari-Mutuel Wagering and Breeding Law and Board rules.

4. **IN THE MATTER OF JOHN M. GILMOUR**

For entry into the minutes, the harness trainer license of John M. Gilmour was summarily suspended by the Board on July 22, 2008, based on a positive test report for cocaine in violation of the Racing, Pari-Mutuel Wagering and Breeding Law and Board rules.



5. **NYRA – REQUEST TO AMEND INTERNET AND ACCOUNT WAGERING TO ALLOW VIDEO STREAM REPLAYS**

For entry into the minutes, on July 24, 2008, the New York State Racing and Wagering Board approved the New York Racing Association Inc.'s request to amend the NYRA Internet and Account Wagering Plan of Operation authorizing NYRA to Video Stream Official Replays of NYRA and non-NYRA races. This approval is conditioned on:

- NYRA compliance with controls and procedures as provided in the April 16, 2008, April 28, 2008 and July 23, 2008 letters to the Board including the requirement of a time stamped log of replays
- NYRA disclosure to the Board prior to distribution of all sites that consent to allow Post Time Technologies Inc. to redistribute their race replays
- NYRA disclosure to the Board within three (3) days after authorization by those tracks that consent to allow NYRA to display their race replays on NYRA's web site.

This approval does not allow NYRA to display live video or audio streaming of NYRA or "non-NYRA" races on NYRA's web site.

6. **YONKERS RACEWAY – REQUEST FOR APPROVAL OF PEACE OFFICERS**

For entry into the minutes, on July 25, 2008, pursuant to Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law, the New York State Racing and Wagering Board granted the Yonkers Racing Corporation request for the appointment of three individuals submitted as special policemen within and around the grounds of Yonkers Raceway. These special policemen may exercise the powers of peace officers as authorized by and in accordance with Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law and Section 2.20 of the Criminal Procedure Law.

This approval is conditioned upon the continuing compliance by Yonkers Raceway with any related requirements imposed by the Board, the Racing, Pari-Mutuel Wagering and Breeding Law, the Criminal Procedure Law, and any other governmental agencies with jurisdiction concerning these appointments.

The three (3) individuals approved are:

Mark Hynes  
Marvin Patterson  
Tyekia Sewar.

7. **BUFFALO RACEWAY – REQUEST TO RENOVATE TOTE BOARD**

For entry into the minutes, on July 29, 2008, the New York State Racing and Wagering Board approved the request by Buffalo Raceway to renovate their existing tote board. This approval is issued pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 313.

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

**1. NEW YORK CITY OTB – SIMULCAST LICENSE APPLICATION FOR 2008**

The New York State Racing and Wagering Board deferred action on New York City Off-Track Betting Corporation's 2008 simulcast license application pending review of the information sought in the July 10, 2008 letter from Thomas V. Casaregola to Ira H. Block.

NYC OTB will remain operational on the continuing rights of the 2005 simulcast license. Such rights are conditioned upon 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, including, submission to the Board of fire inspection reports on an ongoing basis and the filing with the Board no later than October 31, 2008 of an SAS-70 Type II audit for the current licensing period on the totalizator operations utilized and located at NYCOTB facilities.

**2. NYRA – 2008 RACE DATES**

The New York State Racing and Wagering Board acted upon the August 27, 2008 request of The New York Racing Association Inc. to extend the approval of 2008 race dates through September 28, 2008.

Based upon the above request, and in consideration of the Board's receipt of the August 28, 2008 SIXTH AMENDMENT TO STIPULATION RELATING TO, AMONG OTHER THINGS, THE OPERATION OF THE RACETRACKS, dated December 31, 2007 and the August 28, 2008 letter of the Non-Profit Racing Association Oversight Board, the Board approved the race dates requested through the earlier of (i) September 28, 2008 or (ii) further action of the Board.

**3. NYRA – RACING OFFICIALS FOR 2008**

The New York State Racing and Wagering Board acted upon the August 27, 2008 request of The New York Racing Association Inc. to extend the approval of the racing officials previously approved in the Board's December 27, 2007, January 29, February 14, March 7, April 28, May 29 and July 14, 2008 letters. The Board approved an extension, which is valid only through the earlier of (i) September 28, 2008 or (ii) further action of the Board.

**4. THE JOCKEY CLUB – RACING STEWARDS FOR 2008**

Pursuant to Board Rules 4005.1 and 4023.1, on August 28, 2008, the New York State Racing and Wagering Board approved The Jockey Club request to appoint Dr. Theodore Hill as Jockey Club Steward at Belmont Park through September 28, 2008 only.

**5. NYRA – REQUEST TO AMEND INTERNET AND ACCOUNT WAGERING TO ALLOW MOBILE ACCOUNT WAGERING OPERATIONS**

The New York Racing and Wagering Board approved The New York Racing Association Inc. request to amend NYRA's internet and account wagering plan of operation to conduct mobile account wagering operations as described in the May 2, June 25, and July 23, 2008 submissions to the Board and conditioned on:

1. NYRA provide a list of accounts that will be used for the “live testing” seven days prior to any live testing.
2. NYRA provide a report of the satisfactory test and test results to Board staff no later than seven days prior to the system being made available to the public. The report must include a summary of all the live transactions tested by account. The system shall not be implemented prior to receipt by NYRA of a Board letter authorizing implementation.
3. Compliance with the same conditions approved by the Board on April 26, 2007 and the modifications approved by the Board on November 29, 2007 and July 24, 2008.

6. **NYRA – TAKEOUT RATE ADJUSTMENT**

Pursuant to Section 238.1(a) of the Racing, Pari-Mutuel Wagering and Breeding Law, the New York State Racing and Wagering Board approved the following takeout rates established by The New York Racing Association Inc. on races conducted by The New York Racing Association Inc.

- 16% for regular bets;
- 18.5% for multiple bets;
- 26% for exotic bets;
- 16% for super exotic bets; and
- 26% for super exotic bets carried forward.

The rates become effective on September 15, 2008. The Board required that NYRA submit a letter from the totalizator company along with the relevant computer printout confirming the above rates.

7. **CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR NEW E-Z BET – DEL LANES - DELMAR**

The New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation plan of operation to authorize operation of an E-Z Bet simulcast branch at BCMS Bowling, Inc. d/b/a the Del Lanes in the Town of Bethlehem, New York in Albany County. Member Hogan abstained from voting on this matter.

It is a condition of this approval that the wagering and simulcasting at this facility will be conducted in accordance with the terms of the operating agreement presented to the Board as well as all applicable statutes and Board rules, and that all wagering will be conducted through self-service terminals only.

The Board's approval to operate a E-Z Bet facility at this location shall expire and be of no force and effect in the event of any change in ownership or operation without the prior written approval of the Board.

It is expected that the Capital District Regional Off-Track Betting Corporation will arrange for the occasional inspection of this facility to assure compliance with the plan of operation and relevant laws and Board rules, and certify to the Board on a periodic ongoing basis that the conduct of wagering at this facility is in compliance with the foregoing.

8. **CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR NEW FLUBBERBUSTER’S OTB BRANCH LOCATION**  
The New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation plan of the operation to authorize operation of a simulcast branch within Finius T. Flubberbuster’s located at 11909 State Route Four, Whitehall, New York.
9. **CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR APPROVAL OF NEW BRANCH CONCESSIONNAIRE – BRIDGEPORT, NY**  
The New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation plan of the operation to authorize Nicole Galante as the new concessionaire for the Capital District Regional OTB’s Bridgeport Branch located at 585 Route 31 in Bridgeport, New York. This approval is effective immediately and is conditioned upon a satisfactory return of the federal fingerprint based criminal history report.
10. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO APPOINT NEW DIRECTOR - LAPOINTE**  
The New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation’s plan of operation to reflect the appointment of John LaPointe as a member of the Capital District Off-Track Betting Corporation Board of Directors representing Washington County. This approval is effective immediately and conditioned upon the satisfactory return of the federal fingerprint based criminal history report.
11. **CATSKILL REGIONAL OTB – NEW MEMBER OF THE BOARD OF DIRECTORS - WOHL**  
The New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation’s plan of operation to reflect the appointment of Samuel E. Wohl as a member of the Catskill Regional Off-Track Betting Corporation Board of Directors representing Sullivan County. This approval is effective immediately and conditioned upon the satisfactory return of the federal fingerprint based criminal history report.
12. **NASSAU REGIONAL OTB – REQUEST TO AMEND PLAYER’S CLUB – BETNOWNY PLAYER’S CLUB**  
The New York State Racing and Wagering Board approved the Nassau Regional Off-Track Betting Corporation’s request to amend its plan of operation to rename and modify its current Player Rewards program as described in the submission dated August 1, 2008. This approval is conditioned on continued compliance with the Board’s March 7, 2008 approval.
13. **SARATOGA GAMING AND RACEWAY – REQUEST TO SHOW DELAYED RACE REPLAYS ON INTERNET**  
The New York State Racing and Wagering Board approved the Saratoga Harness Racing Inc. request to make available on its website race replays of races conducted at Saratoga Raceway. It is a condition of this approval that a log be maintained to include the date and time each replay is posted to the Saratoga Harness Racing Inc. website.

This approval is restricted for Saratoga Raceway's live races only. No imported race signals from other pari-mutuel tracks are authorized to be displayed with this approval.

This approval is effective through December 31, 2011 only.

14. **IN THE MATTER OF ANTHONY COLETTA**

The New York State Racing and Wagering Board deferred action on this matter pending further review.

15. **IN THE MATTER OF MARK A. HARDER**

The New York State Racing and Wagering Board adopted the recommendation of Hearing Officer Russell H. Baller, Jr. that harness/trainer Mark A. Harder's fine of \$500 and violation of Board Rule 4101.31 in relation to proof of Workers' Compensation Insurance at Yonkers Raceway on February 16, 2008, be dismissed.

16. **NEW YORK JOCKEY INJURY COMPENSATION FUND - AMENDMENT TO BY-LAWS**

The New York State Racing and Wagering Board approved the application of the New York Jockey Injury Compensation Fund, Inc. to amend its By-Laws and Plan of Operation to add the following text to the final paragraph of Section 8 of Article I of the JICF's Amended and Restated By-Laws:

“If no nominating petition meeting the eligibility requirements set forth in this Section 8 for the election of the position of jockeys' director is received by the Election Administrator by mail postmarked no later than the first Monday of May of an election year, the Chair may appoint a member to fill such position until the following election of the jockeys' director.”

The JICF is to submit the name of any individual appointed pursuant to this provision within five (5) days following the appointment.

**E. ITEMS FOR BOARD INFORMATION/DISCUSSION**

1. **INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for June 1, 2008 through June 30, 2008. Also included were the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo, and Seneca Niagara.

2. **INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for July 1, 2008 through July 31, 2008. Also included were the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo, and Seneca Niagara.

3. **GAMES OF CHANCE/BELL JAR TICKETS**  
List of bell jar tickets authorized/denied by the Charitable Gaming Unit between July 1, 2008 – July 31, 2008.
4. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**  
List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit between June 11, 2008 – August 12, 2008.
5. **LICENSING/CURRENT LICENSE COUNT**  
The current racing licensing counts as of July 31, 2008 since January 1, 2008 are as follows: total receipts 11,233 and total licenses 6,670 for the year 2008.
6. **2008 LICENSED SUPPLIERS**  
List of licensed suppliers – manufacturer’s and distributor’s licenses issued for the time period of July 1, 2008 through July 31, 2008.
7. **NYRA – NYRA REWARDS 2008 SECOND QUARTER RESULTS**  
For entry into the minutes, on March 28, 2006, the Racing and Wagering Board conditionally approved the New York Racing Association Inc. request for offering promotional cash awards to players. This program, known as “NYRA Rewards” began to be offered to NYRA players on May 3, 2006. The Board gave permanent approval for this program on April 26, 2007.

As part of the approval, the Board requires NYRA to submit several written reports concerning the player rewards program. The reports for the second quarter (April - June) of 2008 were filed on July 14, 2008 and are attached to this memo with Staff’s report.

8. **YONKERS RACEWAY – INFORMATION RELATIVE TO PEACE OFFICERS**

None.

The conditions have been fulfilled and licenses have been issued on the following individuals who were previously approved by the Board as special policemen at Yonkers Raceway:

Hynes, Mark  
Martinez, Heriberto  
Patterson, Marvin  
Seward, Tyekia.

**F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED**

None.