

**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF JANUARY 23, 2008**

A meeting of the New York State Racing and Wagering Board was held on Wednesday, January 23, 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 11:10 a.m.

In Attendance Were:

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

Also in Attendance Were:

Daniel Toomey, NYSR&WB
Norma Soodsma, NYSR&WB
Kristen Buckley, NYSR&WB
Vivian Davis, NYSR&WB
Richard Goodell, NYSR&WB
William Sekellick, NYSR&WB
James Kellogg, NYSR&WB
Dan Wray, NYC OTB
Robert Hemsworth, Capital OTB
Carin M. Cardinale, Towne, Bartkowski, DeFio, Kean, P.C.
Bob Conner, Daily Gazette
Charles Coppola, Coppola, Ryan

OPEN COMMENT PERIOD: There were no comments.

A. The Board approved the minutes of the Board meetings held on December 27, 2007 and December 29, 2007.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR.

1. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR APPROVAL OF JANUARY 2008 FAN PROMOTIONS

For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved an application by the Capital District Regional Off-Track Betting Corporation to offer promotions during the month of January 2008 to its customers. These promotions consist of Giveaway Days on January 1, 3, 21 at the Albany Teletheater, on January 18, in Glens Falls, January 19 at Lansingburgh, and January 26 in Amsterdam, New York. In addition, there will also be an Online Giant Jackpot “Knockout Challenge” handicapping contest on January 11 and 25 for all Capital Bets account holders and a handicapping seminar event on January 27 at the Albany Teletheater.

This approval is conditioned on there being no charge for entry into the January 27 random drawing and compliance with the rules set forth in the December 17, 2007 application.

These promotions are subject to audit by the Board.

2. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR PICK SIX CARRYOVER PROMOTIONS THROUGHOUT CALENDAR YEAR 2008

For entry into the minutes, on January 4, 2008, the NYS Racing and Wagering Board approved an application by the Capital District Regional Off-Track Betting Corporation to conduct pick-six promotions during all of 2008 provided that the Pick Six has more than \$100,000 available that day. The Pick-Six availability will be a share of the winnings from the selections of the one Capital OTB handicapper from TV-12 picked for that day from among ten (10) randomly drawn patrons.

These promotions must be conducted in accordance with the terms of the application and are subject to audit.

3. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008

For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Capital District Regional Off-Track Betting Corp. to receive the simulcast and conduct pari-mutuel wagering from the host tracks set forth below through the earlier of either January 15, 2008 or further action by the Board:

LA Quarterhorse Meet
Meadowlands/Monmouth
Northfield
Hawthorne
Sam Houston
Turf Paradise, Freehold, Turfway Park
Pompano Park
Tampa Bay Downs
Hawthorne Race Course.

4. For entry into the minutes, on January 4, 2008, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Sunland Park, New Mexico through April 22, 2008.

5. **CATSKILL REGIONAL OTB – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Catskill Regional Off-Track Betting Corp. to receive the simulcast and conduct pari-mutuel wagering from Northville Downs through the earlier of either January 15, 2008 or further action by the Board.

6. **FINGER LAKES RACETRACK – REQUEST TO OFFER PROMOTIONS DURING JANUARY 2008**

For entry into the minutes, on January 3, 2008, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to hold a \$1,000.00 “Hit The Board” Eliminator Challenge Saturdays, January 5, 12, 19 and 26, 2008. It is the Board’s understanding that no fee is associated with this competition.

This promotion must be conducted in accordance with the terms of the application to the Board and is subject to audit.

7. **FINGER LAKES RACETRACK – REQUEST TO OFFER PROMOTION – CUSTOMER APPRECIATION PROGRAM**

For entry into the minutes, on January 9, 2008, the NYS Racing and Wagering Board approved the Finger Lakes Racetrack request to conduct “simulcast customer appreciate programs” on various Fridays, Saturdays and Sundays throughout 2008.

This promotion must be conducted in accordance with the application dated January 4, 2008 and is subject to audit by the Board.

8. **FINGER LAKES RACETRACK – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on December 24, 2007, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Finger Lakes Racetrack authorizing the simulcast for wagering purposes of races from Santa Anita for the remainder of 2007.

9. FINGER LAKES RACETRACK – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008

For entry into the minutes, on December 28, 2007, 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 TP Racing L.L.L.P. d.b.a. Turf Paradise, Arizona for the year 2008.

10. For entry into the minutes, on December 28, 2007, 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 Fair Grounds Race Course, Louisiana through March 23, 2008.

11. For entry into the minutes, on December 28, 2007, 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 Laurel Park, Maryland from January 1, 2008, through April 13, 2008.

12. For entry into the minutes, on December 28, 2007, 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 Tampa Bay Downs, Florida through May 4, 2008.

13. For entry into the minutes, on December 28, 2007, 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 Hawthorne Racecourse, Illinois during 2008.

14. For entry into the minutes, on December 28, 2007, 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 Turfway Park LLC, Kentucky through April 3, 2008.

15. For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Finger Lakes Racetrack to receive the simulcast and conduct pari-mutuel wagering from the host tracks set forth below through the earlier of either January 15, 2008, or further action by the Board:

- Aqueduct Racetrack
- Calder Race Course
- Fairgrounds
- Monticello Raceway
- Beulah Park
- Turf Paradise
- Turfway Park.

16. For entry into the minutes, on January 3, 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:
 1. Gulfstream Park, Florida through April 20, 2008
 2. Philadelphia Park, Pennsylvania through December 31, 2008.

17. For entry into the minutes, on January 3, 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:
 1. Santa Anita, California through April 20, 2008
 2. Golden Gate Fields, California through February 3, 2008.

18. **MONTICELLO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007**

For entry into the minutes, on December 24, 2007, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Monticello Raceway Management, Inc. authorizing the simulcast for wagering purposes of races from Golden Gate Fields and Santa Anita for the remainder of 2007.

19. **MONTICELLO RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**

For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Management, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Attractions Hippiques, (Montreal, Aylmer, Quebec and Trois-Rivieres), Canada through December 31, 2008.

20. For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Management, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Woodbine Entertainment Group, (Woodbine and Mohawk), Ontario, Canada through December 31, 2008.

21. For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Management, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Turfway Park LLC, Kentucky through April 3, 2008.

22. For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Management, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Fair Grounds Race Course, Louisiana through March 23, 2008.

- 23.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Management, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Boyd Racing L.L.C. d/b/a Delta Downs Racetrack Casino & Hotel, Louisiana through March 29, 2008.
- 24.** For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Monticello Raceway Management, Inc. to receive the simulcast and conduct pari-mutuel wagering from the host tracks set forth below through the earlier of either January 15, 2008 or further action by the Board:

Freehold
Gulfstream
Georgian Downs
Hawthorne
Northville
NYRA
Dover Downs
Pompano Park
Turfway Park.

- 25.** For entry into the minutes, on January 3, 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:
1. Santa Anita, California through April 20, 2008
 2. Golden Gate Fields, California through February 3, 2008.
- 26.** For entry into the minutes, on January 3, 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 Philadelphia Park, Pennsylvania through December 31, 2008.
- 27.** For entry into the minutes, on January 3, 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 Gulfstream Park, Florida through April 20, 2008.
- 28.** For entry into the minutes, on January 9, 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. Aqueduct Racetrack, New York through the earlier of January 23, 2008 or further action by the Board
 2. Balmoral Racing Club, Inc./Maywood Park Trotting Association, Inc., Illinois through December 31, 2008.

29. For entry into the minutes, on January 9, 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. FR Park Racing, LP (Freehold Raceway), New Jersey through February 28, 2008
 2. PPI, Inc. d/b/a Pompano Park, Florida through June 30, 2008
 3. Georgian Downs Limited, Ontario, Canada through December 31, 2008
 4. Dover Downs, Inc., Delaware through December 31, 2008
 5. Northville Downs, Michigan through April 5, 2008
 6. Hawthorne Race Course, Illinois through December 31, 2008.
30. **MONTICELLO RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. Northville Racing Corporation, Michigan
 2. Ocean Downs (with one [1] secondary site), Maryland
 3. Philadelphia Park (with eight [8] secondary sites), Pennsylvania
 4. Plainridge Racecourse, Massachusetts.
31. For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. Hawthorne Race Course (with thirty [30] secondary sites), Illinois
 2. Hazel Park, Michigan
 3. Hinsdale Greyhound Park, New Hampshire
 4. Indiana Downs (with two [2] secondary sites), Indiana
 5. Lebanon Raceway, Ohio.
32. For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. Connecticut OTB (with twenty [20] secondary sites), Connecticut
 2. Delaware Racing Association, Delaware
 3. Freehold Raceway (with one [1] secondary site), New Jersey
 4. Great Lakes Downs, Michigan
 5. Harrington Raceway Inc., Delaware.

- 33.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. Beulah Park, Ohio
 2. Canterbury Park, Minnesota
 3. Harrah's Chester Casino & Racetrack, Pennsylvania
 4. Choctaw Racing Services (with nine [9] secondary sites), Oklahoma
 5. Colonial Downs (with ten [10] secondary sites), Virginia.
- 34.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. The Red Mile, Kentucky
 2. River Downs Jockey Club, Ohio
 3. Rockingham Park (with two [2] secondary sites), New Hampshire
 4. Rosecroft Raceway, Maryland
 5. Sam Houston Race Park (with two [2] secondary sites), Texas.
- 35.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. Lewiston Raceway, Inc. (with five [5] secondary sites), Maine
 2. The Lodge at Belmont, New Hampshire
 3. NJSEA (Meadowlands/Monmouth with two [2] secondary sites), New Jersey
 4. Mount Pleasant Meadows, Michigan
 5. Northfield Park (with one [1] secondary site), Virginia.
- 36.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. Attractions Hippiques, Quebec, Canada
 2. Northlands Park (with one [1] secondary site), Alberta, Canada
 3. Windsor Raceway, Ontario, Canada
 4. Flamboro Downs Limited, Ontario, Canada.

- 37.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. Sports Creek Raceway, Michigan
 2. Southland Park Gaming & Racing, Arkansas.
- 38.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to:
1. Grand River Agricultural Society (with four [4] secondary sites), Ontario, Canada.
 2. Rideau Carleton Raceway (with fourteen [14] secondary sites, Ontario, Canada.
- 39.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to Georgian Downs (with two [2] satellite sites), Ontario, Canada.
- 40.** For entry into the minutes, on December 28, 2007, the New York State Racing and Wagering Board approved the Monticello Raceway Management, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2008 to Sudbury Downs (with ten [10] satellite sites), Ontario, Canada.
- 41.** For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Monticello Raceway Management, Inc. to simulcast its standardbred races to the guest sites set forth in the list below, through the earlier of either January 15, 2008 or further action by the Board:
- Attractions Hippiques (Aylmer, Quebec, Trois-Rivieres, Montreal)
 Buffalo Raceway
 Finger Lakes Racetrack
 Saratoga Harness
 Tioga Downs
 Vernon Downs
 Yonkers Raceway
 Carleton Rideau
 Grand River
 Sunland Park
 The Racing Channel
 Northlands
 Penn National.

42. NASSAU REGIONAL OTB – REQUEST TO OFFER COUPON PROMOTION AT 5 FAST TRACK LOCATIONS

For entry into the minutes, on December 12, 2007, the NYS Racing and Wagering Board approved Nassau OTB's application to provide coupons in the December 20, 2007 edition of the Long Island Press newspaper. The coupons may be redeemed for a discounted dinner at a Fast Track location and for one \$2.00 OTB voucher. There is a limit of one coupon per person and the name and address of the person must be filled out on the coupon before it can be redeemed for a two-dollar (\$2.00) voucher. The two-dollar voucher is good for ten days commencing December 20, 2007.

This approval is conditioned on compliance with the terms of the application submitted and the requirement that Nassau OTB submit a report on the number of vouchers presented and used for wagering. The report must be filed no later than twenty (20 days) after the date on which the coupons may be redeemed.

43. NEW YORK CITY OTB – REQUEST FOR APPROVAL OF NEW CORPORATE SECRETARY – MERRIE T. THORRY

For entry into the minutes, on January 4, 2008, the NYS Racing and Wagering Board approved an amendment to the New York City Off-Track Betting Corporation's plan of operation to reflect the appointment of Merrie T. Thorry as Secretary of the New York City Off-Track Betting Corporation.

44. NYRA – REQUEST FOR EMERGENCY EXTENSION OF SIMULCASTING THROUGH JANUARY 23, 2008

For entry into the minutes, the New York State Racing and Wagering Board acted upon the December 31, 2007 request of The New York Racing Association, Inc. for emergency approval of an extension until January 23, 2008 of NYRA's "relevant import and export agreements, subject to any negotiated rate or other changes for 2008."

In consideration of the Board's receipt of an executed STIPULATION RELATING TO, AMONG OTHER THINGS, THE OPERATION OF THE RACETRACKS, dated December 31, 2007, and Resolution No. 07-08 of the Non-Profit Racing Association Oversight Board, dated December 17, 2007, and pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Article X, the Board approved an extension of NYRA's 2007 simulcast imports and exports with the identified rate changes and termination clause, subject to compliance with the previously established relevant conditions for 2007 simulcast imports and exports, through the earlier of (i) January 23, 2008 or (ii) further action of the Board.

45. NYRA – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

For entry into the minutes, on December 24, 2007, the New York State Racing and Wagering Board approved an amendment to the simulcast plan of operation of The New York Racing Association, Inc. authorizing the simulcast for wagering purposes of races from Golden Gate Fields and Santa Anita for the remainder of 2007.

46. NYRA – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2007

For entry into the minutes, on December 12, 2007, the New York State Racing and Wagering Board approved The New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Tampa Bay Downs (with seventeen [17] satellite sites), Florida for the remainder of 2007.

47. NYRA – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008

For entry into the minutes, on January 2, 2008, the New York State Racing and Wagering Board approved the simulcast for wagering purposes of thoroughbred races conducted at Aqueduct Racetrack to YouBet.com (Oregon) through the earlier of (i) January 23, 2008 or (ii) further action by the Board.

48. For entry into the minutes, on January 4, 2008, the New York State Racing and Wagering Board approved the simulcast for wagering purposes of thoroughbred races conducted at Aqueduct Racetrack to TrackNet Media Group, LLC, subject to the exceptions and conditions set forth through the earlier of (i) January 23, 2008 or (ii) further action by the Board.

49. For entry into the minutes, on January 4, 2008, the New York State Racing and Wagering Board approved the simulcast for wagering purposes of thoroughbred races conducted at Aqueduct Racetrack to ODS Technologies, L.P. d/b/a TVG Network through the earlier of (i) January 23, 2008 or (ii) further action by the Board. This approval is subject to the conditions set forth and excludes any domestic or international primary or secondary sites other than TVG Network and its direct account wagering component.

50. SARATOGA GAMING AND RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2007

For entry into the minutes, on December 26, 2007, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Saratoga Harness Racing, Inc. authorizing the simulcast for wagering purposes of races from Golden Gate Fields and Santa Anita for the remainder of 2007.

51. SARATOGA GAMING AND RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008

For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Saratoga Harness Racing, Inc. to receive the simulcast and conduct pari-mutuel wagering from the host tracks set forth below through the earlier of either January 15, 2008 or further action by the Board:

Aqueduct
Dover
Delta
Fair Grounds
Attractions Hippiques
PPI

Sunland
Tampa Bay
Turf Paradise
Turfway Park
Woodbine
Santa Anita
Golden Gate.

- 52.** For entry into the minutes, on January 3, 2008 the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from:
1. Balmoral/Maywood, Illinois through December 31, 2008
 2. Gulfstream Park, Florida through April 20, 2008
 3. Laurel Park, Maryland through April 13, 2008
 4. Philadelphia Park, Pennsylvania through December 31, 2008.
- 53.** For entry into the minutes, on January 3, 2008, the New York State Racing and Wagering Board approved the Saratoga Gaming & Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from:
1. Santa Anita, California through April 21, 2008
 2. Golden Gate Fields, California through February 3, 2008.
- 54.** For entry into the minutes, on January 4, 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:
1. Monticello Raceway Mgmt, Inc., New York through December 31, 2008
 2. The Meadows, Pennsylvania through December 31, 2008.
- 55.** For entry into the minutes, on January 8, 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:
1. Aqueduct Racetrack through January 23, 2008 or further action by the Board
 2. FR Park Racing, LP (Freehold Raceway), New Jersey through February 28, 2008
 3. Hawthorne Race Course, Illinois through December 31, 2008
 4. NJSEA (Meadowlands/Monmouth), New Jersey through February 28, 2008.

56. For entry into the minutes, on January 8, 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:

1. Northfield Park, Ohio through June 30, 2008
2. Sam Houston Race Park, Texas through April 5, 2008
3. Turfway Park LLC, Kentucky through December 31, 2008.

57. TIAGA DOWNS, INC. – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008

For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Tioga Downs to simulcast its standardbred receive the simulcast and conduct pari-mutuel wagering from the host tracks set forth below through the earlier of either January 15, 2008 or further action by the Board:

NJSEA
Golden Gate
Santa Anita.

58. For entry into the minutes, on January 3, 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:

1. Gulfstream Park, Florida through April 20, 2008
2. The Meadows, Pennsylvania through March 31, 2008.

59. For entry into the minutes, on January 3, 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:

1. Santa Anita Park, California through April 20, 2008
2. Golden Gate Fields, California through February 3, 2008.

60. For entry into the minutes, on January 4, 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:

1. NJSEA (Meadowlands/Monmouth), New Jersey through February 28, 2008
2. Turfway Park LLC, Kentucky through December 31, 2008.

61. For entry into the minutes, on January 7, 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 thoroughbred races only from Hawthorne Racecourse, Illinois through December 31, 2008.

62. For entry into the minutes, on January 7, 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 Aqueduct Racetrack through January 23, 2008 or until further action by the Board.
63. **VERNON DOWNS, INC. – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008**
For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Vernon Downs to receive the simulcast and conduct pari-mutuel wagering from the host tracks set forth below through the earlier of either January 15, 2008 or further action by the Board:
- NJSEA
Golden Gate
Santa Anita.
64. For entry into the minutes, on January 3, 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:
1. Gulfstream Park, Florida through April 20, 2008
 2. The Meadows, Pennsylvania through March 31, 2008.
65. For entry into the minutes, on January 3, 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:
1. Santa Anita Park, California through April 20, 2008
 2. Golden Gate Fields, California through February 3, 2008.
66. For entry into the minutes, on January 4, 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:
1. NJSEA (Meadowlands/Monmouth), New Jersey through February 28, 2008
 2. Turfway Park LLC, Kentucky through December 31, 2008.
67. For entry into the minutes, on January 7, 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 thoroughbred races only from Hawthorne Racecourse, Illinois through December 31, 2008.
68. For entry into the minutes, on January 7, 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 Aqueduct Racetrack through January 23, 2008 or until further action by the Board.

69. YONKERS RACEWAY – REQUEST TO IMPORT VARIOUS LOCATIONS IN 2008

For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Yonkers Raceway to simulcast its standardbred races to guest sites set forth in the list below, and to receive and conduct pari-mutuel wagering from the host tracks set forth below through the earlier of either January 15, 2008 or further action by the Board:

Balmoral
Maywood
Rideau Carleton
Western Fair
Northland Park
Fort Erie
Ajax Downs
TRNI
LVDC.

- 70.** For entry into the minutes, on January 4, 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/Monmouth), New Jersey through February 28, 2008.
- 71.** For entry into the minutes, on January 4, 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 Balmoral/Maywood, Illinois during 2008.
- 72.** For entry into the minutes, on January 7, 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 Northfield Park, Ohio through June 30, 2008.
- 73.** For entry into the minutes, on January 9, 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 during 2008 from:
1. Georgian Downs Limited, Ontario, Canada
 2. Attractions Hippiques (Four [4] tracks), Quebec, Canada
 3. Flamboro Downs Limited, Ontario, Canada.
- 74.** For entry into the minutes, on January 9, 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 June 30, 2008.

75. For entry into the minutes, on January 9, 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. Northville Downs, Michigan through April 5, 2008
2. FR Park Racing, LP (Freehold Raceway), New Jersey through February 28, 2008.

76. YONKERS RACEWAY – REQUEST TO EXPORT TO VARIOUS LOCATIONS IN 2008

For entry into the minutes, on December 31, 2007, the New York State Racing and Wagering Board approved the request of Yonkers Raceway to simulcast its standardbred races to guest sites set forth in the list below, and to receive and conduct pari-mutuel wagering from the host tracks set forth below through the earlier of either January 15, 2008 or further action by the Board:

Freehold
Northville.

77. For entry into the minutes, on January 8, 2008, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its standardbred racing programs for wagering purposes through December 31, 2008 to Autotote Enterprises Inc. (with twelve [12] secondary sites), Connecticut.

78. For entry into the minutes, on January 9, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for net pool pricing wagering purposes during the year 2008 to:

1. Kawartha Downs Raceway (with one [1] secondary site), Ontario, Canada
2. Woodbine Entertainment Group (with thirty five [35] secondary sites), Ontario, Canada
3. Georgian Downs (with one [1] secondary site), Ontario, Canada.

79. For entry into the minutes, on January 9, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for net pool wagering purposes during the year 2008 to:

1. Windsor Raceway, Inc. & Winrac Development Inc., Ontario, Canada
2. Assiniboia Downs (with nine [9] secondary sites), Manitoba, Canada
3. Exhibition Park Raceway, New Brunswick, Canada
4. Attractions Hippiques (with fifteen [15] secondary sites), Quebec, Canada.

80. For entry into the minutes, on January 9, 2008, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for net pool wagering purposes during the year 2008 to:

1. Western Fair Raceway, Ontario, Canada
2. Northlands Park, Alberta, Canada
3. Fort Erie Race Track with four (4) secondary sites, Ontario, Canada
4. Picov Downs Inc., Ontario, Canada.

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

1. EMERGENCY RULEMAKING – WHIP FOUL RULE (4035.2)

For entry into the minutes, on December 12, 2007, the New York State Racing and Wagering Board approved the adoption of an Emergency Rule to amend subdivision (d) of section 4035.2 of 9(E) NYCRR, which is titled “Foul Riding Penalized” as it pertains to the disqualification of a horse for willful or careless interference.

2. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO AMEND INTERNET AND ACCOUNT WAGERING PLAN OF OPERATION

For entry into the minutes, on December 12, 2007, the New York State Racing and Wagering Board approved Capital District Regional Off-Track Betting Corp.’s request to amend its Internet wagering plan of operation to offer surcharge free wagering for Internet placed bets. This approval is limited to wagers made over the Internet and does not include wagers placed by any other means.

3. YONKERS RACEWAY – REQUEST TO ALLOW YONKERS INTERNET WAGERS TO BE PROCESSED AT TEMPORARY LOCATION

For entry into the minutes, on December 20, 2007, the New York State Racing and Wagering Board approved an extension for the continued processing of Internet account wagering transactions at the Scientific Games Racing LLC location in Sacramento California until January 8, 2008. Yonkers must provide notification that the system was successfully tested and notify the Board of the date that Internet account wagering transactions begin to be processed at the Scientific Games Racing LLC Quantum Center in New Jersey.

4. EMERGENCY RULEMAKING FOR INTERNET AND ACCOUNT WAGERING

For entry into the minutes, on December 26, 2007, the New York State Racing and Wagering Board approved the adoption of emergency rules (Part 5300 of (NYCRR) to establish rules and regulations for account wagering used in connection with licensed pari-mutuel wagering activities in New York State. These rules include revisions to the text of prior rules, which were made after consideration of public comments.

These rules will expire on March 26, 2008.

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 [further review](#) of matters concerning NYC OTB's financial position.

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 your facility.

2. NASSAU REGIONAL OTB – REQUEST FOR APPROVAL OF NEW FAST TRACK – LONG BEACH, NY

The New York State Racing and Wagering Board deferred the request for an amendment to the Nassau Regional OTB plan of operation authorizing the operation of a "Fast Track" simulcast facility at the Minnesota Pub LB Inc. d/b/a Minnesota's located at 959 Beech Street in Long Beach, New York 11561 in Nassau.

The Board will consider further action at a future Board meeting.

3. NYRA - 2008 RACE DATES

The New York State Racing and Wagering Board acted upon the January 21, 2008 request of The New York Racing Association, Inc. to extend the approval of 2008 race dates through February 13, 2008.

In consideration of the Board's receipt of the January 20, 2008 AMENDMENT TO STIPULATION RELATING TO, AMONG OTHER THINGS, THE OPERATION OF THE RACETRACKS, dated December 31, 2007, and Resolution No. 07-08 of the Non-Profit Racing Association Oversight Board, dated December 17, 2007, and the January 21, 2008 letter of the Non-Profit Racing Association Oversight Board, the Board approved the race dates requested through the earlier of (i) February 13, 2008 or (ii) further action of the Board.

4. NYRA – RACING OFFICIALS FOR 2008

The New York State Racing and Wagering Board acted upon the January 21, 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 letter. The Board approved an extension, which is valid only through the earlier of (i) February 13, 2008 or (ii) further action of the Board.

5. MONTICELLO RACEWAY – 2008 RACE DATES

The New York State Racing and Wagering Board assigned to Monticello Raceway the race dates requested for the month of **February 2008 only**.

The conduct of racing is subject to all applicable laws and rules, as well as all orders and directives of the Board.

6. YONKERS RACEWAY – 2008 RACE DATES

The New York State Racing and Wagering Board assigned to Yonkers Raceway the race dates requested for the month of **February 2008 only**.

The conduct of racing is subject to all applicable laws and rules, as well as all orders and directives of the Board.

7. THE JOCKEY CLUB - RACING STEWARDS FOR 2008

Pursuant to Board Rules 4005.1 and 4023.1, on January 23, 2008, the New York State Racing and Wagering Board approved The Jockey Club request to appoint Dr. Theodore Hill as Jockey Club Steward at Aqueduct Racetrack through **February 13, 2008 only**.

This approval is conditioned upon ratification of the appointment by the Board of Stewards of the Jockey Club and filing of same with Board.

8. BUFFALO RACEWAY – TRACK AND SIMUCAST LICENSE APPLICATIONS FOR 2008

The New York State Racing and Wagering Board granted the Buffalo Raceway track and simulcast licenses for 2008.

The Board assigned the 84 racing programs requested on the dates specified and at the post times requested.

The 2008 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 Commission or Board 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 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, 2008.
- e. No receiving or secondary sites may rebate on the Buffalo Raceway races unless disclosed within the terms of the agreement as submitted to the Board for approval **and Buffalo Raceway shall not rebate on simulcasts received without the written consent of the host site.**

The Board granted the 2008 Buffalo Raceway license upon application for the conduct of fewer programs than otherwise required pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 307(5-a) based upon good cause shown due to factors beyond the control of the racing corporation.

The Board further found for purposes of Racing, Pari-Mutuel Wagering and Breeding Law Section 318(5) that although Buffalo Raceway was assigned for 2008 fewer than the minimum number of programs and races prescribed in Section 318(5)(a), the assignment of such lesser number was based on a finding that it would be uneconomical or impractical for Buffalo Trotting Association, Inc. to be assigned the prescribed number.

9. FINGER LAKES RACETRACK – TRACK AND SIMULCAST LICENSE APPLICATIONS FOR 2008

The New York State Racing and Wagering Board granted the Finger Lakes Racetrack track and simulcast licenses for 2008.

The Board assigned the 160 racing programs requested on the dates specified and at the post times requested.

The 2008 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. Records must be maintained for two years from the date of the simulcast. 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 jurisdictions with any provision mandated by either commission or board with such provisions specifically incorporated into the contract by reference. All parties, including any Secondary Recipients, shall comply with the provisions of all-applicable Federal, State and local laws and regulations.
- d. An 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, 2008.
- e. No receiving or secondary sites may rebate on the Finger Lakes Racetrack races unless disclosed within the terms of the agreement as submitted to the Board for approval **and Finger Lakes Racetrack shall not rebate on simulcasts received without the written consent of the host site.**

Pursuant to Racing, Pari-Mutual Wagering and Breeding Law Section 228(3), the Board authorized certification to the New York State Department of Taxation and Finance that Finger Lakes Racetrack has been assigned for 2008 the required number of pari-mutuel programs and races at its facilities to establish eligibility for the tax rates set forth in Section 228(1).

10. BATAVIA DOWNS/WESTERN REGIONAL OTB – TRACK AND SIMULCAST LICENSE APPLICATIONS FOR 2008/SIMULCAST LICENSE APPLICATION FOR 2008

The New York State Racing and Wagering Board granted the Batavia Downs track and simulcast licenses for 2008 as well as the Western Regional OTB simulcast license for 2008, which includes thirty-nine simulcast branches, eight remote-type facilities and one teletheater.

The Board assigned the 60 racing programs requested for Batavia Downs on the dates specified and at the post times requested.

The 2008 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. Books and records must be maintained for two years from the date of the simulcast. 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 to which you are party to is subject to the requirements of the host and guest jurisdictions with any provision mandated by either commission or board 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 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, 2008.
- e. No receiving sites may rebate on host track races unless disclosed within the terms of the agreement as submitted to the Board for approval.

The Board granted the 2008 Batavia Downs license upon application for the conduct of fewer programs than otherwise required pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 307(5-a) based upon good cause shown due to factors beyond the control of the racing corporation.

The Board further found for purposes of Racing, Pari-Mutuel Wagering and Breeding Law Section 318(5) that although Batavia Downs was assigned for 2008 fewer than the minimum number of programs and races prescribed in Section 318(5)(a), the assignment of such lesser number was based on a finding that it would be uneconomical or impractical for Batavia Downs to be assigned the prescribed number.

11. CERTIFICATION OF YEAR 2007 RACING DATES/RACES FOR TAX RATE PURPOSES FOR TAX & FINANCE

The New York State Racing and Wagering Board certified pursuant to Section 228 (3)(b)(ii) and Section 318 (5)(b)(ii) of the Racing, Pari-Mutuel Wagering and Breeding Law that Finger Lakes Racetrack, Monticello Raceway and Saratoga Gaming and Raceway did conduct during the year 2007 at least 90% of programs/races conducted in 1985 or 1986 (whichever year had the fewer).

For 2007, the Board found that for Batavia Downs, Buffalo Raceway, Vernon Downs and Yonkers Raceway, it would have been uneconomical or impractical for these corporations to be assigned the prescribed number of racing dates, pursuant to Section 318(5)(b)(ii). Such finding entitled these harness racetracks to be classified as if each complied with such requirements. Accordingly, the Board certified that Finger Lakes, Batavia Downs, Buffalo Raceway, Monticello Raceway, Saratoga Harness, Vernon Downs, and Yonkers Raceway complied with either Section 228(3)(b)(ii) or Section 318(5)(b)(ii) of the Racing, Pari-Mutuel Wagering and Breeding Law for the purpose of establishing the 2007 pari-mutuel tax rate.

12. MONTICELLO RACEWAY – REQUEST TO AMEND PLAYER REWARDS PROGRAM

The New York State Racing and Wagering Board approved the Monticello Raceway request to amend its Player Rewards program as requested with the following conditions:

1. The program is to be conducted according to the rules submitted with the application;
2. Points cannot be redeemed for entries into drawings;
3. Board approval is required prior to changing or implementing any new prize catalogues or points redemption values provided, however, that Monticello Raceway may substitute similar items of equal or lesser value without Board approval if the original item is not available. Monticello Raceway must notify the Board promptly of any substitutions.

13. SUFFOLK REGIONAL OTB – REQUEST TO ADD NEW QWIK BET BRANCH – RONKONKOMA, NY

The New York State Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting Corporation plan of operation authorizing the operation of a “Quik Bet” simulcast facility at the Darlababe, Inc. d/b/a Bruno’s Village Restaurant at 451 Hawkins Avenue in Ronkonkoma, New York (Suffolk County). This approval is effective immediately.

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.

This approval was also conditioned upon the requirement that Suffolk Regional Off-Track Betting Corporation execute the Quik Bet Facility Authorization Agreement for Automatic Payment or Deposits and file a copy with the Board no later than five days after execution.

The Board's approval to operate a Quik 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 Suffolk Regional OTB 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.

14. CONSENSUS RULEMAKING – GAMES OF CHANCE ON NEW YEAR’S EVE

The New York State Racing and Wagering Board approved the proposal of an amendment to Board Rule 5603.8. to conform with the requirements of General Municipal Law 195.

This amendment conforms to an amendment to GML Section 195 which removed the prohibition against the conduct of games of chance on New Year’s Eve.

15. PROPOSED RULEMAKING – BONUS BALL BINGO

The New York State Racing and Wagering Board approved the proposal of amendments to Board Rules to conform the Board’s Bingo regulations with amendments to Section 476 of the General Municipal Law or provide for implementation. These are amendments to subdivision af of section 5800.1 and a new section 5820.57.

GML Section 476 was amended in 2007 to add a new subdivision 11-b which authorizes a new bingo game known as Bonus Ball Bingo. These rules are submitted for proposed rulemaking.

The amendments and required analysis/forms are filed with GORR for Executive Order 20 review. After GORR has approved the proposed rules, they will be forwarded to the Department of State. They will be published with a 45-day comment period. If there is no objection, the Board may then adopt the amendments as permanent rules.

16. FINGER LAKES RACETRACK – REQUEST TO WITHDRAW \$89,691.01 FROM CIF

The New York State Racing and Wagering Board approved the January 11, 2008 Finger Lakes Racetrack request to withdraw a total of \$89,691.01 from its Capital Improvement Fund for reimbursement of the following expenditures:

<u>Other (94%)</u>	
Copier	\$ 39,197.04
Video Cameras and Accessories	19,881.10
Floats for Harrows	13,947.50
Clubhouse Ceiling	<u>11,082.08</u>
Total Other	<u>\$ 84,107.72</u>

Backstretch (6%)

Shop Equipment – Tire Changer	\$ 1,614.00
Shop Equipment – Manual Oiler	229.24
Shop Equipment – Mig Welder	2,241.37
Shop Equipment – Line Striper	<u>1,498.68</u>
Total Backstretch	<u>\$ 5,583.29</u>

Total Approved \$ 89,691.01

This approval is conditioned upon the satisfactory results of a forthcoming inspection of the items.

17. IN THE MATTER OF JOHN A. GORHAM

The New York State Racing and Wagering Board adopted the recommendation of Hearing Officer Russell H. Baller, Jr. that the appeal from the decision of the stewards at Finger Lakes Racetrack to disqualify the horse Berry Bound and place that horse from first to second for interference to Chief's Lake during the stretch of the eighth race on July 14, 2007 be dismissed on the basis that it is a non-reviewable judgment call and that the decision be upheld as a legitimate judgment decision.

18. IN THE MATTER OF TIMOTHY CASE

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

19. NEW YORK CITY OTB – REQUEST TO APPOINT NEW EXECUTIVE VICE PRESIDENT/CHIEF FINANCIAL OFFICER – GARRY

The New York State Racing and Wagering Board approved an amendment to the New York City Off-Track Betting Corporation's plan of operation to reflect the appointment of Robert J. Garry as Executive Vice President and Chief Financial Officer of the New York City Off-Track Betting Corporation.

20. AMENDMENTS TO APPENDICES A AND B OF THE TRIBAL-STATE COMPACT BETWEEN THE SAINT REGIS MOHAWK TRIBE AND THE STATE OF NEW YORK

The New York State Racing and Wagering Board approved amendments to the Tribal-State Compact between the Saint Regis Mohawk Tribe and the State of New York. The proposed amendments to both Appendix A and Appendix B would add two new table games. The games are Four Card Poker and Texas Hold'Em Bonus Poker. An amendment to the Compact Table of Contents reflects these proposed amendments.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. TIOGA DOWNS & VERNON DOWNS – PLAYER REWARDS PROGRAM - THIRD QUARTER RESULTS FOR 2007

The reports for the third quarter of 2007 were filed on October 26, 2007. Revised reports were filed on December 27, 2007.

- 2. INDIAN GAMING/LICENSING STATISTICS**
Licensing statistics for December 1, 2007 through December 31, 2007, as well as the certifications for Mohawk, Seneca Allegany, Seneca Buffalo, Seneca Niagara and Oneida.
- 3. GAMES OF CHANCE/BELL JAR TICKETS**
List of bell jar tickets authorized/denied by the Charitable Gaming Unit between December 1, 2007 – December 31, 2007.
- 4. GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**
List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit between December 5, 2007 – January 8, 2008.
- 5. LICENSING/CURRENT LICENSE COUNT**
The current racing licensing counts as of December 31, 2007 are as follows: total receipts 17,124 and total licenses 14,772 for the year 2007.
- 6. 2007 LICENSED SUPPLIERS**
List of licensed suppliers and manufacturers for the time period of December 1, 2007 through December 31, 2007.
- 7. YONKERS RACEWAY – INFORMATION RELATIVE TO PEACE OFFICERS**
The conditions have been fulfilled and licenses issued to the following individuals:

Alvarez, Yamilka
Berrios, Jose
Cutinello, Glen
Exarhakos, Billy
Fernandez, Jennifer
Gonzalez, Wilson
Guevara, William
Lee, Donald R.
Luong, Christopher
Purdy, David
Rivera, Emanuel
Vairo, Joseph
Vassari, Nicholas.
- 8. CAPITAL DISTRICT REGIONAL OTB - INDEPENDENT AUDITOR REPORT ON CORRECTIVE ACTION PLAN**
Capital OTB submitted the Corrective Action Plan (CAP) in September of 2007. On September 27, 2007, the Board accepted the CAP with the condition that Capital OTB file a report, no later than December 16, 2007, prepared by an independent certified public accountant expressing an opinion that the policies and procedures filed with the CAP are operating effectively.

On December 14, 2007, Capital OTB filed an independent accountant's report prepared by UHY, LLC regarding the Capital OTB's Corrective Action Plan. The report states, in part, "In our opinion, Capital OTB complied, in all material respects, with the Corrective Action Plan related to the system of accounting and internal controls as embodied in the policies and procedures of Capital OTB's Board of Directors Resolutions Nos. 365 – 388 as filed in August and September 2007 with the New York State Racing and Wagering Board during the period from October 1, 2007 to November 30, 2007

9. STOP BETTING DIRECTIVE

A directive was sent to the tote companies, tracks and OTB's to establish a procedure to address failures to close betting.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

1. CAPITAL DISTRICT REGIONAL OTB –REQUEST TO APPOINT NEW PRESIDENT – JOHN SIGNOR

The Board approved the appointment of John Signor to the position of President of the Capital District Regional OTB effective January 1, 2008, subject to the satisfactory review of a federal fingerprint based criminal history report. This condition has been satisfied.

Meeting adjourned at 12:26 p.m.