

**Minutes of the
New York State Racing Commission**

1971

No Commission meeting was held in January 1971.

A handwritten signature in cursive script, appearing to read "Henry J. ...". The signature is written in dark ink and is positioned above the typed name "Secretary".

Secretary

A regular monthly meeting of the State Racing Commission was held on due notice at the Commission office, 598 Madison Avenue, New York City on Thursday, February 11, 1971, at ten thirty in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; John S. Clark, Counsel; Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; Harry M. Peterson, Chief Chemist; and Gerard A. Burke, Steward.

On motion duly made and seconded, the Minutes of the Meeting held on December 10, 1970, were approved.

The Chairman noted that under the Rules of the Commission, racing associations are required to reproduce the rules of Daily Double betting in their daily racing programs sold to the public. He observed that the space so dedicated in the program could possibly be used for the publication of interesting matter or for advertising purposes which could generate substantial revenue. There ensued a discussion at the conclusion of which the Commission duly adopted the following resolution:

RESOLVED, that Section 12.1 of the Rules and Regulations of the State Racing Commission, including all references thereto in said Rules and Regulations, shall be and the same hereby is deleted therefrom in its entirety, effective this date, and it is

FURTHER RESOLVED, that Section 10.1 of the Rules and Regulations of the State Racing Commission reading as follows:

Section 10.1 Rules printed in programs. Such rules for pari-mutuel betting as may be specified by the Commission shall be printed in the daily racing programs sold to the public within the premises of racing associations.

is hereby amended, effective this date, to read as follows:

Section 10.1 Posting of rules. Such rules for pari-mutuel betting as may be specified from time to time by the commission shall be reproduced in legible type and permanently displayed in locations within all betting areas of the premises of racing associations. The daily racing programs sold to the public by racing associations shall contain a statement indicating that such rules are posted in all betting areas.

The Commission appointed a season (per diem) staff to commence duties on Monday, March 8, 1971, and to terminate not later than December 4, 1971, or at the pleasure of the Commission, in accord with the following schedule:

A regular monthly meeting of the State Racing Commission was held on due notice at the Commission office, 598 Madison Avenue, New York City on Thursday, February 11, 1971, at ten thirty in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; John S. Clark, Counsel; Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; Harry M. Peterson, Chief Chemist; and Gerard A. Burke, Steward.

On motion duly made and seconded, the Minutes of the Meeting held on December 10, 1970, were approved.

The Chairman noted that under the Rules of the Commission, racing associations are required to reproduce the rules of Daily Double betting in their daily racing programs sold to the public. He observed that the space so dedicated in the program could possibly be used for the publication of interesting matter or for advertising purposes which could generate substantial revenue. There ensued a discussion at the conclusion of which the Commission duly adopted the following resolution:

RESOLVED, that Section 12.1 of the Rules and Regulations of the State Racing Commission, including all references thereto in said Rules and Regulations, shall be and the same hereby is deleted therefrom in its entirety, effective this date, and it is

FURTHER RESOLVED, that Section 10.1 of the Rules and Regulations of the State Racing Commission reading as follows:

Section 10.1 Rules printed in programs. Such rules for pari-mutuel betting as may be specified ~~from time to time~~ by the commission shall be printed in the daily racing programs sold to the public within the premises of racing associations.

is hereby amended, effective this date, to read as follows:

Section 10.1 Posting of rules. Such rules for pari-mutuel betting as may be specified from time to time by the commission shall be reproduced in legible type and permanently displayed in locations within all betting areas of the premises of racing associations. The daily racing programs sold to the public by racing associations shall contain a statement indicating that such rules are posted in all betting areas.

The Commission appointed a seasonal (per diem) staff to commence duties on ~~May~~ March 8, 1971, and to terminate not later than December 4, 1971, or at the pleasure of the Commission, in

accord with the following schedule:

		Per Diem Rate	Per Diem Expenses	Period Employed
Assistant to Steward	Thomas Ricci	\$ 61.52	\$ 2.00	3/8-12/4
Sup. of Drug Tests	James Brewer	103.00	-	3/8-12/4
Inspector	Aldo Sagrati	32.67	2.00	3/8-12/4
"	Howard Gotterup	32.67	3.00	3/8-12/4
"	Thomas Willoe	32.67	3.00	3/8-12/4
"	Edward Kummer	32.67	3.00	3/8-12/4
"	Robert P. Mozer	32.67	3.00	3/8-12/4
"	*Joseph Wagner	32.67	3.00	3/8-12/4
"	Peter Gandini	32.67	2.00	3/8-12/4
"	Eugene Donaldson	32.67	3.00	3/8-12/4
"	Frank De Lucia	32.67	3.00	3/8-12/4
"	Ted Guzikowski	32.67	2.00	3/8-12/4
"	George Blunt	32.67	3.00	3/8-12/4
"	Raymond Delano	32.67	3.00	3/8-12/4
"	Charles Barsa	32.67	-	3/8-12/4
"	Thomas Reitano	32.67	3.00	3/8-12/4
"	Albert P. Schmid	32.67	2.00	3/8-12/4
"	**N.D. Richardson	32.67	3.00	5/5-10/13

*Mr. Wagner to serve at FL from 5/5 to 10/13.

**Mr. Richardson to replace Mr. wagner while he is at FL.

The Chairman was authorized and directed to make such additional appointments as may be necessary to fill vacancies.

Francis P. Dunne was appointed Steward of the State Racing Commission to begin March 8th and to terminate not later than December 4, 1971.

The Commission approved the following post times for The New York Racing Association Inc. in accord with its written request of February 9, 1971:

Monday, March 8th to Saturday, May 22nd	1:30 P.M.
Monday, May 24th to Saturday, June 26th	1:30 P.M.
Monday, June 28th to Saturday, July 31st	1:30 P.M.

In accord with the request of The New York Racing Association Inc., under date of February 9, 1971, the Commission approved its appointment of the following persons to be engaged in the actual conduct of racing for the 1971 season:

Steward appointed by NYRA-----Nathaniel J. Hyland
 Racing Secretary & Handicapper-----Thomas E. Trotter
 Ass't Racing Secretaries & Handicappers-----Clifford McCartney
 -----John Shevlin
 Director of Admissions-----David H. Carnahan

Racing Sec. & Handicapper for Steeplechasing	-----John E. Cooper
Asst. Racing Sec. & Handicapper for "	-----Carlyle Cameron
Senior Official-----	-----John T. Morrissey
Starter-----	-----George B. Cassidy
Clerk of the Scales-----	-----Frederick W. Meinz
Asst. Clerk of the Scales-----	-----James J. Zimmerman
Paddock & Patrol Judge-----	-----Gerard A. Burke
Patrol & Asst. Paddock Judge-----	-----William T. O'Connor
Patrol Judges-----	-----Warren C. Mehrtens
	-----John E. O'Hara
Placing Judges-----	-----William A. Murphy
	-----Donald L. Peregoy
	-----Robert A. Smithers
Timer & Deputy Clerk of the Course-----	-----William F. Garges
Chief Examining Veterinarian-----	-----Manuel Gilman, DVM
Examining Veterinarian-----	-----Frederick Reynolds
Examining Veterinarian-----	-----Clinton Hartley

The following names were approved as substitute Stewards, to serve, if required, at meetings of The New York Racing Association, Inc.

Gerard A. Burke	John T. Morrissey
Warren C. Mehrtens	Patrick W. O'Brien
Thomas E. Trotter	

The following named persons were approved as substitute racing officials to serve, if required, at meetings of The New York Racing Association Inc.

Lucas Dupps	William F. Garges
Robert F. Kelley, Jr.	Clifford D. McCartney
John T. Morrissey (including starter)	
Frank D. Ritz	Robert A. Smithers
Francis Thacker	James J. Zimmerman

The Commission approved the request of the Finger Lakes Racing Association Inc., made by letter dated January 12, 1971, for permission to install two Westinghouse electric stairways at the Finger Lakes Race Track, Canandaigua, New York. The Chairman was authorized to issue a formal permit.

In accord with the request of The Jockey Club, the Commission approved the appointment by The Jockey Club of Mr. Calvin S. Rainey as Steward at Aqueduct, Belmont, and Saratoga and Walter J. Mara as Steward, at Finger Lakes, for the 1971 racing season.

The Commission approved the appointment of Mr. John E. Cooper by The National Steeplechase and Hunt Association, as Steward for the 1971 racing season, in accord with its request dated January 26, 1971.

The Chairman proposed an amendment to Commission Rule 25.28, relating to transfer of engagements to provide that all engagements would automatically accompany any transfer of ownership of a horse.

He reported that, in accord with the requirements of Section 7909 of the Unconsolidated Laws, The Jockey Club and The National Steeplechase and Hunt Association, Inc. had been given an opportunity to submit recommendations relative to such proposed change in the rules of racing and that each had advocated the change.

Accordingly, after discussion the Commission duly adopted the following resolution:

Resolved, that Section 25.28 of the Rules and Regulations of the Commission, reading as follows:

25.28 Proof of transfer with engagements. (a) If a horse is sold by private treaty or at public auction or claimed out of a claiming race (unless the conditions of the claiming race stated otherwise), the written acknowledgment of both parties is necessary to prove the fact that it was transferred with its engagements.

(b) When a horse is sold with his engagements, or any part of them, the seller cannot strike the horse out of any such engagements.

(c) If only certain engagements be specified, those only are transferred with the horse.

is hereby amended to read as follows:

25.28 Proof of transfer with engagements. Whenever the ownership of a horse is transferred in any manner, all racing engagements of the said horse shall automatically accompany the transfer.

Other matters of interest to the Commission were discussed.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,



Secretary

A regular monthly meeting of the State Racing Commission was held on due notice at the Commission office, 598 Madison Avenue, New York City on Thursday, March 11, 1971, at ten o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; John S. Clark, Counsel; Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; Harry M. Peterson, Chief Chemist; Francis P. Dunne, Steward and Gerard A. Burke, Steward.

On motion duly made and seconded, the Commission approved the Minutes of the February 11, 1971 Meeting.

On motion duly made and seconded, the Commission approved the Finger Lake request to "glass enclose" the first level and second level of its stands. The Chairman was authorized to issue formal Permit.

On motion duly made and seconded the Commission approved the application of Apprentice Jockey Dave Liverman for an extension of 37 days effective March 25th to April 30th, inclusive.

On motion duly made and seconded, the Commission approved the following Finger Lakes Racing Association Officials for their 1971 racing season.

Steward-----	Luke H. O'Brien
Racing Sec. & Handiscapper-----	Bennett Parke
Starter-----	Oscar G. Mackey
Clerk of Scales-----	Blake Wymer
Paddock Judge & Patrol Judge-----	Robert H. Dygert
Patrol Judge-----	James L. Bocher
Asst. to Racing Sec. & Placing Judge-----	Ronald A. Nash
Placing Judge-----	Arthur E. Langmayer
Asst. Paddock & Placing Judge-----	Charles F. Kelly
Identifier & Timer-----	Robert W. Rigby, Jr.
Examining Veterinarian-----	Dr. Donald Pritchard
Ass. Examining Veterinarian-----	Dr. Ramon Umana
Announcer-----	Ross Morton (Morton Veingrad)

On motion duly made and seconded, the 1971 Admission charges at the Finger Lakes Racing Association were approved.

	General Admission	Clubhouse Admission	Clubhouse Exchange
Price	\$.7692	\$ 1.5384	\$.7692
State Tax	.1154	.2308	.1154
County Tax	.1154	.2308	.1154
Total	<u>\$1.00</u>	<u>\$ 2.00</u>	<u>\$1.00</u>

	Clubhouse Special	Grandstand Reserved Seats	Clubhouse Reserved Seats
Price	\$ 1.1538	\$.7692	\$.7692
State Tax	.1731	.1154	.1154
County Tax	.1731	.1154	.1154
Total	<u>\$ 1.50</u>	<u>\$ 1.00</u>	<u>\$ 1.00</u>
	Boxes (3 Seats)	Boxes (5 Seats)	Boxes (6 Seats)
Price	\$180.00	\$300.00	\$360.00
State Tax	27.00	45.00	54.00
County Tax	27.00	45.00	54.00
Total	<u>\$234.00</u>	<u>\$390.00</u>	<u>\$468.00</u>
	(7 Seats)	Daily Box Seats	
Price	\$420.00	\$ 1.00	
State Tax	63.00	.15	
County Tax	63.00	.15	
Total	<u>\$546.00</u>	<u>\$ 1.30</u>	

On motion duly made and seconded, the 1971 State Racing Commission staff at the Finger Lakes track were approved.

		Per Diem
Gerard A. Burke	Steward	\$154.26
Martha Oberlies	Asst. to Steward	55.43
Norman Lewis	Sup of Drug Tests	109.18
Joseph Wagner	Asst. " " "	48.98
Francis Laimbeer	Inspector-Track Office	34.63
R. J. Hampson	Inspector-Track Office	34.63
M. E. Masick	Inspector-Track Office	34.63
R. Reynolds	Inspector-Lead In	34.63
R. O'Brien	Inspector-Lead In	34.63
H. Connolly	Inspector-Clubhouse	34.63
I. Baird	Inspector-Testing Encl.	34.63
L. Gardner	Inspector-Testing Encl.	34.63
W.M. MacIntyre	Inspector-Testing Encl.	34.63
R. Glasser	Inspector-Testing Encl.	34.63

The Commission would liketto make note in their Minutes that Blatner, Mendel, Mesick, Architects, will act as the Commission's representatives in connection with construction work to be performed at the Saratoga Track.

Other matters of importance to the Commission were discussed.

The Commission considered and took appropriate action with respect to applications for occupational licenses.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully,



Secretary

continue to August 2, 1971, inclusive.

Apprentice Jockey Jamie E. Arellano suffered a fracture of his wrist at Aqueduct on December 4, 1970, an extension of 93 days was granted, such apprenticeship to commence on April 21, 1971 and continue to July 22, 1971, inclusive.

Other matters of importance to the Commission were discussed.

The Commission considered and took appropriate action with respect to applications for occupational licenses.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted, |



Secretary

A regular monthly meeting of the State Racing Commission was held on due notice at the Commission office, 598 Madison Avenue, New York City on Thursday, May 13, 1971 at ten o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; John S. Clark, Counsel; Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; and Francis P. Dunne, Steward.

On motion duly made and seconded, the Commission approved the Minutes of the April 8, 1971 meeting.

The Chairman suggested that it would be appropriate to consider changing Rule 38.5 to reduce the time before claiming races prior to which claims must be filed from 15 to 10 minutes. Counsel reported that in accord with the requirements of Section 7909 of the Unconsolidated Laws, an opportunity had been given to the Jockey Club, Inc. and the National Steeplechase & Hunt Association, Inc. to submit recommendations relative to the proposed change in this rule of racing and each had indicated approval thereof.

Accordingly, after discussion the following resolution was duly adopted:

RESOLVED, that Section 38.5 of the Rules and Regulations of the Commission, reading as follows:

38.5 (Requirements for claim; determination by stewards.)
All claims shall be in writing, sealed and deposited in a locked box provided for this purpose by the clerk of the course, at least 15 minutes before post time. No money shall accompany the claim. Each person desiring to make a claim, unless he shall have such amount to his credit with the association, must first deposit with the association the whole amount of the claim in cash, for which a receipt will be given. All claims shall be passed upon by the stewards, and the person determined at the closing time for claiming to have the right of claim shall become the owner of the horse when the start is effected, whether it be alive or dead, sound or unsound or injured before or during the race or after it. If more than one person should enter a claim for the same horse, the disposition of the horse shall be decided by lot by the stewards. An owner shall not be informed that a claim has been made until after the race has been run, and any horse so claimed shall then be taken to the paddock for delivery to the claimant.

is hereby amended to read as follows:

38.5 (Requirements for claim; determination by stewards.) All claims shall be in writing, sealed and deposited in a locked box provided for this purpose by the clerk of the course, at least 10 minutes before post time. No money shall accompany the claim. Each person desiring to make a claim, unless he shall have such amount to his credit with the association, must first deposit with the association the whole amount of the claim in cash, for which a receipt will be given. All claims shall be passed upon by the stewards, and the person determined at the closing time for claiming to have the right of claim shall become the owner of the horse when the start is effected, whether it be alive or dead, sound or unsound or injured before or during the race or after it. If more than one person should enter a claim for the same horse, the disposition of the horse shall be decided by lot by the stewards. An owner shall not be informed that a claim has been made until after the race has been run, and any horse so claimed shall then be taken to the paddock for delivery to the claimant.

The Chairman reported that The New York Racing Association Inc. had requested permission to accept entries and fields for the Belmont Stakes, a race in which Exacta wagering is normally conducted. He observed that a waiver of Rule 12.20 (e) would be required if such permission were granted. There followed a lengthy discussion of the application at the conclusion of which the request of The New York Racing Association Inc. was approved and the Chairman was authorized to make an appropriate order waiving Rule 12.20 (e) and directing that the following special Commission regulation relative to Exacta wagering be printed in the official New York Racing Association Inc. program for June 5, 1971:

In the event that horses comprising an entry or field shall finish first and second, then for the purposes of distribution of the Exacta pool only, such entry or field and the third horse shall be the winning combination; in the event that horses comprising an entry or field shall finish first, second and third, then for the purposes of distribution of the Exacta pool only, such entry or field and the fourth horse shall be the winning combination; and so forth.

The Chairman noted that he had discussed the aforesaid request of The New York Racing Association Inc. with Commissioner Hanrahan who had indicated his approval thereof.

The Commission approved the request of the Finger Lakes Racing Association, Inc., made by letter dated April 20, 1971 for permission to construct an addition to the structure presently housing its stable cafeteria. The Chairman was authorized to issued a formal permit.

The Commission ratified its prior oral approval of the

appointment of Mr. Raymond Pollock to act as Steward for the 1971 racing season of the Finger Lakes Racing Association, Inc.

The Commission approved the request of The New York Racing Association Inc., dated May 12, 1971 for the following post times:

Monday, August 2 to Saturday, October 30	1:30 P.M.
Monday, November 1 to Wednesday, December 15	12:30 P.M.
Thanksgiving Day, November 25, 1971	11:00 A.M.

The Commission thereupon took up the request of The New York Racing Association Inc., dated April 27, 1971 for approval of an amendment to its credit agreement dated October 1, 1955 as amended. The application was reviewed in detail and following extended discussion it was approved.

The suspensions at NYRA tracks during the period since the last meeting were reviewed.

Other matters of interest to the Commission were discussed.

The Commission considered and took appropriate action with respect to applications for occupational licenses .

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,



Secretary

A regular monthly meeting of the State Racing Commission was held on due notice at the Commission office, 598 Madison Avenue, New York City, on Thursday, June 10, 1971, at ten o'clock in the forenoon:

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; John S. Clark, Counsel; Harry Peterson, Chief Chemist and Francis P. Dunne, Steward.

On motion duly made and seconded, the Commission approved the Minutes of the May 13, 1971 meeting.

The Commission confirmed ratification of its prior approval of a change of posttime at the Finger Lakes Race Track from 1:30 P.M. to 2:00 P.M., commencing May 24th. The Chairman noted that such request had been made by the Finger Lakes Racing Association Inc. by letter dated May 22, 1971 and that after polling the Commissioners, interim approval had been granted.

The Commission approved the designation of William Thayer and Ronald Nash as stand-by or substitute Stewards for the Finger Lakes Racing Association Inc. to act, in the event that the official Steward of the Finger Lakes Racing Association Inc. should be incapacitated or absent. The Chairman reported that Mr. Thayer had experience as a Steward in Illinois and that Mr. Nash had experience as a Steward in Louisiana.

The Commission approved the designation by the Finger Lakes Racing Association Inc., of Mr. Kenneth Bower to act as a racing official, for 1971, other than as Steward, at the Finger Lakes Race Course in the event of the incapacity or absence of any other Commission approved racing official.

The Commission also approved the designation by the Finger Lakes Racing Association Inc. of the following racing officials for 1971: J. R. Hill, Clerk of Scales and Patrol Judge; James L. Boucher, Placing Judge; and James Kinnard, Assistant Paddock and Patrol Judge.

The Chairman brought to the attention of the Commissioners an application received from the Finger Lakes Racing Association Inc. to stable horses off-course at an adjacent farm until the completion of new barns. He advised that the State Steward at Finger Lakes, Gerard A. Burke, had stated that Finger Lakes Racing Association proposed to use 15 off-course stalls and that this procedure had been in effect for a number of years. There followed a discussion of the application at the conclusion of which it was approved, the approval to terminate upon completion of new barns on its premises.

The suspensions at NYRA and FLRA tracks during the period since the last meeting were reviewed.

The Commission, noting that Mr. James Cox Brady had passed away on May 24, 1971, on motion duly made and seconded, adopted the following preamble and resolution.

WHEREAS, James Cox Brady, a Trustee of The New York Racing Association and Chairman of its Board of Trustees from December 27, 1961 to November 12, 1969, passed away on the 24th of May, 1971 and

WHEREAS, Mr. Brady, a leader in industry and finance, an international sportsman, a distinguished member of The Jockey Club and an owner and breeder of American, Irish and English Thoroughbreds rendered wise leadership and distinguished service of lasting value to racing in the State of New York as a member of the Board of Trustees of The New York Racing Association since its inception and as its Chairman during a period of enormous growth and improvement,

NOW, THEREFORE, BE IT RESOLVED, that the New York State Racing Commission records its profound sorrow upon the death of James Cox Brady, and extends to his family its sympathy on the occasion of their bereavement.

Other matters of interest to the Commission were discussed.

The Commission considered and took appropriate action with respect to applications for occupational licenses.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,


Secretary

No Commission meeting was held for the
month of July, 1971.

A meeting of the State Racing Commission was held on due notice at the Saratoga Race Track, Saratoga Springs, New York, on Tuesday, August 17, 1971 at ten o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; John S. Clark, Counsel; Francis P. Dunne, Steward; Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; and Harry M. Peterson, Chief Chemist.

On motion duly made and seconded, the Commission approved the Minutes of the June 10, 1971 Meeting.

The Commission ratified its prior approval of the nomination of New E. Wait, Jr., to fill a vacancy in the Board of Trustees of The New York Racing Association, Inc., as required by Section 7902 (2) of the Unconsolidated Laws.

The Chairman then brought to the attention of the Commission a request of the Finger Lakes Racing Association, Inc. made under date of July 23, 1971, to be closed on Tuesday, September 7th and on each Monday thereafter for the balance of the season. After considerable discussion, the Commission approved such closing, except on Monday, October 11th, Columbus Day.

The Commission approved the request of the Finger Lakes Racing Association, Inc. for permission to appoint Kenneth Bowe as a Patrol Judge and Robert Rigby as a substitute Placing Judge.

The Commission designated William J. Nertney to replace the late Frank De Lucia as an Inspector-Technician assigned to the Testing Enclosure of The New York Racing Association, Inc.

The Commission designated Christopher Santa Donato, currently employed as a Commission Senior Chauffeur to serve as an Inspector-Technician in the Testing Enclosure of The New York Racing Association, Inc., replacing Thomas Willoe, who is retiring.

The Commission designated Neal Cifichiello to fill the position of Senior Chauffeur, vacated by reason of the change in position of Christopher Santa Donato.

The Commission approved the application of Jockey David Baker for an extension of his apprenticeship allowance for 106 days.

The Stewards' reports of fines and suspensions since the last Commission meeting were reviewed; and the suspension of owner Fred Cole, effective August 13th, and the suspension of owner Frank Caldwell, effective August 16th, were directed to be recorded in the Minutes.

Other matters of interest to the Commission were discussed.

The Commission considered and took appropriate action with respect to applications for occupational licenses.

There being no further business, on motion duly made and seconded, the meeting adjourned at approximately 10:45 a.m.

Respectfully submitted,



Secretary

A meeting of the State Racing Commission was held on due notice at the Commission office, on Tuesday, October 5, 1971, at ten o'clock in the forenoon:

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: John S. Clark, Counsel; Francis P. Dunne, Steward; Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; and Harry M. Peterson, Chief Chemist.

On motion duly made and seconded, the Commission approved the Minutes of the August 17, 1971 meeting.

An application of the Finger Lakes Racing Association, Inc. for an extension of its racing days through Tuesday, November 2, 1971 was approved.

Mr. Harry Peterson, Chief Chemist, gave an extended report of pre-race testing procedures instituted at harness tracks.

The Stewards' reports of fines and suspensions since the last Commission meeting were reviewed.

The Commission considered and took appropriate action with respect to applications for occupational licenses.

The Steward, the Director of the Thoroughbred Breeders Service Bureau and the Chief Chemist thereupon withdrew from the meeting. The Commission then took up the matter of its inquiry into alleged undisclosed ownership of horses racing at tracks under its jurisdiction. There followed a lengthy discussion and review of the evidence adduced upon the Commission's inquiry at the conclusion of which the Commission directed that the licenses of trainers John P. Campo and George T. Poole and the license of owner Ralph C. Wilson, Jr. be suspended for thirty days and that owner Frank Caldwell be directed to show cause why his license as an owner should not be revoked. Counsel was instructed to prepare and to submit to the Commission appropriate orders to the foregoing effect.

The Commission directed that the Secretary, upon approval of such orders, promulgate the same.

The Chairman directed that such orders be filed with the minutes of the meeting.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,


Secretary

The following are spread over the October 5, 1971 Minutes.

NEW YORK STATE RACING COMMISSION

----- XX

In the Matter
of

ORDER
OF
SUSPENSION

RALPH C. WILSON, JR.

----- XX

The owner's license of Ralph C. Wilson, Jr. is hereby suspended pursuant to Section 3.9 (a) of the Codes, Rules and Regulations of the New York State Racing Commission (hereafter the "Commission") and §7915 of the Unconsolidated Laws of New York, in that he has violated or attempted to violate or assisted in the violation or attempted violation of rules which have been approved and adopted by the Commission, and in that he has been guilty of or attempted fraud or misrepresentation in connection with racing, breeding or otherwise and has been guilty of or engaged in similar, related or like practices, such practices being inconsistent with the public interest, convenience and necessity and with the best interest of racing generally in conformity with the racing laws of the State of New York, in the following instances:

- I. On or about May 28, 1970 Ralph C. Wilson, Jr. (hereafter "Wilson") sold the horse CHANGE OF SCENERY then stabled at Belmont Park for the sum of \$30,000.00 to Robert Presti, also known as Nicholas Spadea, ~~XXXX~~ ~~XXXXXXXXXXXXXXXXXXXX~~, also known as Ralph R. Libutti (hereafter "Libutti"). Wilson assisted Libutti, an unlicensed person, in concealing his ownership of the horse by furnishing him with a bill of sale indicating that the horse had been sold to Toni Menzella, a dentist's receptionist, who simultaneously applied for an owner's license.
- II. On or about May 16, 1970 Wilson sold the horses STRIDER and RUNNING BEAR then stabled at Belmont Park to Libutti. Wilson assisted Libutti, an unlicensed person, in concealing his ownership of the horses by furnishing him with a bill of sale indicating that the horses had been sold to George Poole.
- III. On or about June 26, 1971 Wilson stated to agents of the Thoroughbred Racing Protective Bureau, an agency providing investigative services to the Commission, that he had sold the horse JIM FRENCH to Frank J. Caldwell whereas he had sold the horse to Libutti, and received payment from Libutti.
- IV. On or about June 26, 1971 Wilson stated to agents of the Thoroughbred Racing Protective Bureau, an agency providing

investigative services to the Commission, that he subsequently repurchased interest in the horse JIM FRENCH from Frank J. Caldwell and that in the negotiations of the repurchase of such ownership interest in the horse he dealt only with CALDwell whereas he dealt with Libutti.

- V. On or about October 29, 1970 Wilson purchased a 25% ownership interest in the horse JIM FRENCH purportedly from Frank J. Caldwell but in fact from Libutti. On or about November 19, 1970 Wilson concealed from the Commission and The New York Racing Association Inc. the fact that he then owned the horse in partnership with Frank J. Caldwell and Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date, a statement of such partnership not having been filed as required by Commission Rule 26.3.
- VI. Between on or about November 1, 1970 and January 18, 1971, Wilson purchased additional ownership interest in the horse JIM FRENCH, amounting in total to 60% thereof, knowing that Libutti, with whom he negotiated such purchases, was an undisclosed and unlicensed owner of the horse.
- VII. On or about November 27, 1970 Wilson concealed from the Commission and The New York Racing Association Inc. the fact that he then owned the horse JIM FRENCH in partnership with Frank J. Caldwell and Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date, a statement of such partnership not having been filed as required by Commission Rule 26.3.
- VIII. On or about February 1, 1971 Wilson submitted to the Commission an application under oath in which he stated that he owned the horse JIM FRENCH and that no other persons were interested with him in any manner in the ownership of race horses whereas, as he then well knew, Mario Biundo then owned a 10% ownership interest in said horse and Frank J. Caldwell then owned a 30% ownership interest in said horse.

The suspension shall be for a period of thirty days commencing this date.

In accordance with the provision of Rule 2.8 of the Commission, the undersigned hereby promulgates the foregoing order of suspension by the Commission and certifies that it evidences the official action taken by the Commission.


 HARRY J. MILLAR
 SECRETARY

New York, New York
 October 13, 1971

NEW YORK STATE RACING COMMISSION

In the Matter
of
GEORGE T. POOLE

ORDER
OF
SUSPENSION

The trainer's license of George T. Poole is hereby suspended, pursuant to Section 3.9 (a) of the Codes, Rules and Regulations of the New York State Racing Commission (hereafter the "Commission"), and §7915 of the Unconsolidated Laws of New York, in that he has violated or attempted to violate or assisted in the violation or attempted violation of rules which have been approved and adopted by the Commission, and in that he has been guilty of or attempted fraud or misrepresentation in connection with racing, breeding or otherwise and has been guilty of or engaged in similar, related or like practices, such practices being inconsistent with the public interest, convenience and necessity and with the best interest of racing generally in conformity with the racing laws of the State of New York, in the following instances:

I. On or about May 30, 1970 George T. Poole (hereafter "Poole") entered the horse STRIDER in a race to be run at Belmont Park on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Robert Presti, also known as Nicholas Spadea, also known as Ralph R. Libutti (hereafter "Libutti"), an unlicensed person.

II. On or about June 23, 1970 Poole entered the horse STRIDER in a race to be run at Belmont Park on said date representing to The New York Racing Association Inc. that the owner of the horse was Buchchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.

III. On or about July 2, 1970 Poole entered the horse STRIDER in a race to be run at Aqueduct Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.

IV. On or about June 3, 1970 Poole entered the horse RUNNING BEAR in a race to be run at Belmont Park on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas the owner of the horse was Libutti.

- V. On or about June 12, 1970 Poole entered the horse RUNNING BEAR in a race to be run at Belmont Park on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- VII. On or about July 10, 1970 Poole entered the horse RUNNING BEAR in a race to be run at Aqueduct Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- VII. On or about July 24, 1970 Poole entered the horse RUNNING BEAR in a race to be run at Aqueduct Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- VIII. On or about August 3, 1970 Poole entered the horse RUNNING BEAR in a race to be run at Saratoga Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- IX. On or about August 17, 1970 Poole entered the horse RUNNING BEAR in a race to be run at Saratoga Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- X. On or about July 2, 1970 Poole entered the horse JACK TEEL in a race to be run at Aqueduct Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- XI. On or about July 11, 1970 Poole entered the horse JACK TEEL in a race to be run at Aqueduct Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- XII. On or about July 24, 1970 Poole entered the horse JACK TEEL in a race to be run at Aqueduct Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- XIII. On or about August 6, 1970 Poole entered the horse JACK TEEL in a race to be run at Saratoga Race Course on said date representing to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.
- XIV. On or about August 13, 1970 Poole entered the horse JACK TEEL in a race to be run at Saratoga Race Course on said date representing

to The New York Racing Association Inc. that the owner of the horse was Buckchance Stable, a stable name of Toni Menzella, whereas, as he then well knew, the owner of the horse was Libutti.

XV. From time to time during 1970 Poole assisted an individual who has been denied admission to the grounds of race tracks under the jurisdiction of this Commission, namely Libutti, in wagering on races conducted by The New York Racing Association Inc. at its race tracks by receiving bets by telephone from Libutti and purchasing pari-mutuel tickets on his behalf.

XVI. During the period in which he was acting as a trainer for Libutti under the guise and pretense of Buckchance Stable he was requested by Libutti to claim a horse for his account. Knowing that Libutti was ineligible to claim, he failed to report that improper request to the Stewards, as required by Commission Rule 42.1 (c). The suspension shall be for a period of thirty days commencing this date.

In accordance with the provision of Rule 2.8 of the Commission, the undersigned hereby promulgates the foregoing order of suspension by the Commission and certifies that it evidences the official action taken by the Commission.

(SIGNED)
HARRY J. MILLAR, SECRETARY

New York, New York
October 13, 1971

NEW YORK STATE RACING COMMISSION

In the Matter
of
JOHN P. CAMPO

ORDER
OF
SUSPENSION

The owner's license and the trainer's license of John P. Campo are hereby suspended, pursuant to Section 3.9 (a) of the Codes, Rules and Regulations of the New York State Racing Commission, (hereafter the "Commission"), and §7915 of the Unconsolidated Laws of New York, in that he has violated or attempted to violate or

assisted in the violation or attempted violation of rules which have been approved and adopted by the Commission and in that he has been guilty of or attempted fraud or misrepresentation in connection with racing, breeding or otherwise and has been guilty of or engaged in similar, related or like practices, such practices being inconsistent with the public interest, convenience and necessity and with the best interest of racing generally in conformity with the racing laws of the State of New York, in the following instances:

- I. On or about August 5, 1971 John P. Campo (hereafter "Campo") made an entry on The Jockey Club Certificate of Foal Registration #6821133 relating to the horse JIM FRENCH indicating that Frank J. Caldwell had transferred the ownership of the horse to Etta Sarant whereas, as Campo then well knew, Frank J. Caldwell had not transferred ownership of the horse to Etta Sarant. Said certificate was thereafter lodged with the Racing Secretary of The New York Racing Association Inc.
- II. On or about August 5, 1971 Campo made an entry on The Jockey Club Certificate of Foal Registration #6821133 relating to the horse JIM FRENCH indicating that Frank J. Caldwell had transferred ownership of the horse to Etta Sarant whereas, as Campo then well knew, one Fred Cole had purported to transfer ownership interest to Etta Sarant and George Sarant. Said certificate was thereafter lodged with the Racing Secretary of The New York Racing Association Inc.
- III. On or about October 9, 1970 Campo entered the horse JIM FRENCH in the seventh race to be run at Belmont Park on October 10, 1970, and in connection therewith represented to The New York Racing Association Inc. that Frank J. Caldwell was the owner of the horse and that Frank J. Caldwell had authorized him to enter it whereas, Robert Presti, also known as Nicholas Spadea, also known as Ralph R. Libutti (hereafter "Libutti") instructed him to enter the horse and Libutti was the owner thereof.
- IV. During the period commencing on or about August 31, 1970 and continuing at least through August 5, 1971 while acting as trainer of horses purportedly owned by Richard Hamma, Toni Menzella, Fred Cole and Frank J. Caldwell, Campo consorted and associated with Libutti exclusively outside race track grounds and reported to Libutti and took instructions from him concerning such horses, including with respect to their racing activities. Libutti was not and is not a licensed authorized agent and has been barred from the grounds of race tracks under the jurisdiction of this Commission since 1968.
- V. In or about August and September of 1970 Campo, at the request of Libutti, trained the horse JACK TEEL. On or about September 9, 1970 Campo entered the horse in a race to be run at Belmont Park on said date and represented to The New York Racing Association Inc. that Buckchance Stable, a name supplied to him by Libutti, was the owner of the horse, although Campo admittedly did not know the identity

of any principal of Buckchance Stable.

VI. On or about April 20, 1971 at Belmont Park, Campo denied to an agent of the Thoroughbred Racing Protective Bureau, an agency providing investigative services to the Commission, that he knew an individual named Robert Presti, stating that he was, however, acquainted with an individual named "Presley" whereby the agent was misled.

The suspension shall be for a period of thirty days commencing this date.

In accordance with the provisions of Rule 2.8 of the Commission, the undersigned hereby promulgates the foregoing order of suspension by the Commission and certifies that it evidences the official action taken by the Commission.

(SIGNED)

HARRY J. MILLAR, SECRETARY

New York, New York
October 13, 1971

NEW YORK STATE RACING COMMISSION

In the Matter

NOTICE

of

OF

FRANK J. CALDWELL

HEARING

TO: Mr. Frank J. Caldwell
100 Elderfields Road
Manhasset, L.I., N.Y. 11030

You are hereby notified to show cause before the New York State Racing Commission (hereafter the "Commission") at 598 Madison Avenue, New York, New York, on October 29, 1971, at 10:30 A.M. why your license as an owner should not be revoked pursuant to Section 3.9 (a) of the Codes, Rules and Regulations of the Commission, and

§7915 of the Unconsolidated Laws of New York, in that you have violated or attempted to violate or assisted in the violation or attempted violation of rules which have been approved and adopted by the Commission, and in that you have been guilty of or attempted fraud or misrepresentation in connection with racing, breeding or otherwise and have been guilty of or engaged in similar, related or like practices, such practices being inconsistent with the public interest, convenience and necessity and with the best interest of racing generally in conformity with the racing laws of the State of New York, in the following instances:

I. On or about August 31, 1970 you submitted an application to the Commission for an owner's license in which you stated under oath that you had purchased the horse CASA ORANGE from one "H. Birli" whereas, as you then well knew, you had purchased the horse from Robert Presti, also known as Nicholas Spadea, also known as Ralph R. Libutti (hereafter "Libutti").

II. On or about October 10, 1970 you authorized, allowed and permitted a representation to be made to The New York Racing Association Inc. that you were then the owner of the horse JIM FRENCH which was entered in and ran in a race on that date at Belmont Park in your name as owner whereas, as you then well knew, you were not then the owner of the horse.

III. On or about October 10, 1970 in concert with Libutti and John Campo you concealed from the Commission and The New York Racing Association Inc. and you failed to disclose to the stewards at Belmont Park the fact that Libutti, an unlicensed person, was owner of JIM FRENCH, a horse which was entered in and ran in a race at Belmont Park on said date.

IV. On October 12, 1970 you purchased a 25% ownership interest in the horse JIM FRENCH from Libutti and thereafter held yourself out as the sole owner of the horse whereby you knowingly assisted Libutti in his unauthorized and unlicensed participation in racing.

V. On or about October 16, 1970 in concert with Libutti you concealed from the Commission and The New York Racing Association Inc. the fact that you owned the horse JIM FRENCH in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Belmont Park on said date in your name as owner, a statement of such partnership not having been filed prior to the entry as required by Commission Rule 26.3.

VI. On or about October 29, 1970, Libutti sold to Ralph C. Wilson, Jr. a 25% ownership interest in the horse JIM FRENCH. For the purpose of concealing the fact that Libutti was the seller, \$75,000.00 consideration for the sale was paid to you and you, in turn, paid that amount to Toni Menzella, acting for Libutti.

VII. From time to time between on or about November 1, 1970 and January 18, 1971, Libutti sold to Ralph C. Wilson, Jr. additional percentages of ownership interest in the horse JIM FRENCH whereby his total ownership interest amounted to 60% thereof. For the purpose of concealing the fact that Libutti

was the seller, consideration for the sales passed through you.

VIII. On or about November 19, 1970, you concealed from the Commission and The New York Racing Association Inc. the fact that you then owned the horse JIM FRENCH in partnership with Ralph C. Wilson, Jr. and with Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

IX. On or about November 27, 1970 you concealed from the Commission and The New York Racing Association In. the fact that you then owned the horse JIM FRENCH in partnership with Ralph C. Wilson, Jr. and with Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

X. On or about February 12, 1971 Libutti repurchased from Ralph C. Wilson, Jr. the 60% ownership interest in the horse JIM FRENCH previously sold to him by Libutti. For the purpose of concealing the ownership interest of Libutti, a bill of sale was supplied to you by Ralph C. Wilson, Jr. and you gave Ralph C. Wilson, Jr. your checks as payment on behalf of Libutti accepting Libutti's notes in like amount.

XI. On or about December 14, 1970 acting on behalf of Libutti you purported to transfer to Mario Biundo a 10% ownership interest in the horse JIM FRENCH and on or about February 26, 1971, you purported to repurchase such interest of Mario Biundo in the horse, which you thereupon purported to transfer to Fred Cole, acting for Libutti, all for the purpose of concealing the ownership interest of Libutti.

XII. On or about March 20, 1971, you concealed from the Commission and The New York Racing Association Inc. the fact that you then owned the horse JIM FRENCH in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date and in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XIII. On or about April 17, 1971 you concealed from the Commission and The New York Racing Association Inc. the fact that you then owned the horse JIM FRENCH in partnership with Libutti, an unlicensed person, which horse was entered in and ran a race at Aqueduct Race Course on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XIV. On or about June 5, 1971 you concealed from the Com-

mission and The New York Racing Association Inc. the fact that you then owned the horse JIM FRENCH in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Belmont Park on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XV. On or about February 5, 1971, you submitted to the Commission an application to renew your owner's license in which you stated under oath that you had purchased the horse JIM FRENCH from Ralph C. Wilson, Jr. whereas, as you then well knew, you had purchased your interest from Libutti.

XVI. On or about April 20, 1971 at Belmont Park you falsely stated to an agent of the Thoroughbred Racing Protective Bureau, an agency providing investigative service to the Commission, that you did not know an individual named Robert Presti, and that one Robert Presti had no interest in the horse JIM FRENCH.

XVII. On or about February 5, 1971 you submitted to the Commission an application under oath to renew your owner's license in which you stated that you owned the horse JIM FRENCH but failed to disclose that Mario Biundo, an unlicensed person, then had an ownership interest in the horse.

XVIII. On or about March 1, 1971 you stated to The Jockey Club, authorized by the Commission to register partnerships in horses, that you were the sole owner of the horse JIM FRENCH, whereas, as you well knew, you were not the sole owner of the horse.

XIX. On or about February 5, 1971 you submitted to the Commission an application under oath to renew your owner's license in which you stated that you owned the horse FLEET LAD and had purchased it from Buckchance Farm whereas, as you then well knew, you had purchased the horse from Libutti.

XX. On or about February 5, 1971 you submitted to the Commission an application under oath to renew your owner's license in which you stated that you owned the horse CHANGE OF SCENERY and had purchased it from Buckchance Farm whereas, as you then well knew, you had purchased the horse from Libutti.

XXI. On or about October 12, 1970 you concealed from the Commission and The New York Racing Association Inc. that you owned the horse CHANCE OF SCENERY in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Belmont Park on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XXII. On or about October 23, 1970, you concealed from the Commission and The New York Racing Association Inc. that you owned the horse THOUSAND SHIPS in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XXIII. On or about November 23, 1970, you concealed from the Commission and The New York Racing Association Inc. that you owned the horse THOUSAND SHIPS in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XXIV. On or about October 31, 1970, the horse OTESAGA was claimed for your account whereas, as you then well knew, it was claimed collusively for the benefit of Libutti and you, in violation of Commission Rule 38.1.

XXV. On or about October 6, 1970, you concealed from the Commission and The New York Racing Association Inc. that you owned the horse OTESAGA in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XXVI. On or about October 14, 1971, you concealed from the Commission and The New York Racing Association Inc. that you owned the horse OTESAGA in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date in your name as owner, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XXVII. On or about December 7, 1970, you concealed from the Commission and The New York Racing Association Inc. that you owned the horse RULE BY REASON in partnership with Libutti, an unlicensed person, which horse was entered in and ran in a race at Aqueduct Race Course on said date in a stable name adopted by you, a statement of such partnership not having been filed as required by Commission Rule 26.3.

XXVIII. On or about May 15, 1971, for the benefit of Libutti, you purported to purchase the horse PRINCE GRAUSTARK from the Aisco Stable and held yourself out as the owner of the horse which was thereafter stabled at Belmont Park, all for the purpose of assisting Libutti, an unlicensed person, in the unauthorized and unlicensed participation in racing.

XXIX. On or about July 7, 1971 you submitted an affidavit to The New York Racing Association Inc. in which you falsely stated that on said date you were the owner of the horse PRINCE GRAUSTARK.

XXX. On or about February 12, 1971, you purchased a 50% ownership interest in the horse PAX IN TERRA from Libutti. For the purpose of concealing the fact that Libutti was the seller, you accepted a bill of sale signed by Fred Cole purporting to reflect the transfer of such interest to you from him.

The hearing will be conducted pursuant to part 14 of the Codes, Rules and Regulations of the New York State Racing Commission. You are advised that you may have counsel with you ~~during~~ the hearing, that you may cross examine witnesses and that you may bring witnesses and submit documents in your behalf.

/SIGNED/
HARRY J. MILLAR, SECRETARY

October 13, 1971

75

A meeting of the State Racing Commission was held on due notice at the Commission Office, on Thursday, November 4, 1971, at ten o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner

Also present: John S. Clark, Counsel; Francis P. Dunne, Steward; Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; Gerard A. Burke, Steward; Harry Millar, Secretary and Harry M. Peterson, Chief Chemist.

On motion duly made and seconded, the Commission approved the Minutes of the October 5, 1972 meeting.

The Commission ratified its prior oral approval of the designation of Joseph Kozan to act as a Placing Judge at the Finger Lakes Race Track, replacing Ronald Nash.

The Commission ratified its prior approval of the request of the Finger Lakes Racing Association to change its Post Time from 2:00 P.M. to 1:00 P.M. on November 1st and 2nd, 1971.

The Commission ratified its prior oral approval of the request of the Finger Lakes Racing Association to schedule ten races for November 2, 1971.

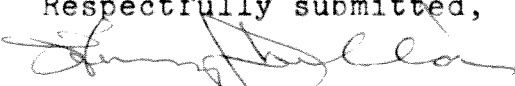
The Chairman announced that Mr. Charles Barsa had been re-employed as an Inspector in the Commission Office and that Mr. Michael Angelon had been designated as Commission Auditor, both effective as of October 21, 1971.

The Commission ratified its prior oral approval of the request of The New York Racing Association to permit the erection of a navigational outer marker in its backstretch area at Belmont Park Race Track in cooperation with the New York Port of Authority.

The Stewards' reports of fines and suspensions since the last Commission meeting were reviewed.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,


Harry J. Millar
Secretary

A meeting of the State Racing Commission was held on due notice at the Commission office, on Wednesday, December 8, 1971, commencing at 3:30 P.M.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; Francis P. Dunne, Steward; Harry J. Millar, Secretary; John S. Clark, Counsel; and Harry M. Peterson, Chief Chemist.

On motion duly made and seconded, the Commission approved the Minutes of the November 3, 1971 Meeting.

The Chairman reported that suspended owners Fred Cole and Frank J. Caldwell had surrendered their licenses. Following discussion, the Commission ordered that the licenses issued to such owners be cancelled.

The Commission ratified its prior approval of an extension of the apprentice allowance of Jockey Robyn C. Smith, for 48 days, beginning December 1, 1971 and terminating on January 17, 1972, by reason of an injury sustained on December 3, 1970.

The Commission approved an extension of the apprentice allowance of Jockey Robert Tullo for 34 months and 7 days, beginning December 3, 1971 and terminating October 9, 1974, by reason of service in the U. S. Army from March 26, 1968 to February 2, 1971.

The Commission approved the following 1972 racing dates for The New York Racing Association Inc., as set forth in its letter of December 8, 1971:

<u>Aqueduct, Spring Meeting</u> Wednesday, March 1 thru Saturday, May 13th	64 days
<u>Belmont, Spring Meeting</u> Monday, May 15 thru Saturday, June 17th	30 days
<u>Aqueduct, Summer Meeting</u> Monday, June 19 thru Saturday, July 29th	36 days
<u>Saratoga, Summer Meeting</u> Monday, July 31 thru Saturday, August 26th	24 days
<u>Belmont, Fall Meeting</u> Monday, August 28 thru Saturday, October 14th	42 days
<u>Aqueduct, Final Meeting</u> Monday, October 16 thru Friday, December 15th	<u>53 days</u>
	249 days

The Commission considered the request of the Finger Lakes Racing Association Inc., to commence its 1972 racing season March 30th and to conduct racing on Friday and Saturday only of each week through May 6th. The Commission denied the application to conduct racing on two days only of each such week but approved the Association's request to conduct racing five days each week commencing on May 8th. The Chairman was authorized to inform Finger Lakes Racing Association, if it should so request, that the Commission would authorize commencement of racing on May 1st.

The Commission, upon learning of the passing of George D. Widener on December 8, 1971, duly adopted the following resolution:

WHEREAS, George D. Widener, Honorary Chairman of The New York Racing Association Inc. and The Jockey Club and Chairman of the National Museum of Racing, passed away on Wednesday, the eighth of December, 1971, and

WHEREAS, Mr. Widener, a distinguished leader and patron of the sport of Thoroughbred racing, both here and abroad, and an eminent breeder and racing executive, brought strong leadership and wise counsel to Thoroughbred racing, particularly in the State of New York,


NOW, THEREFORE, BE IT RESOLVED, that the New York State Racing Commission records its profound sorrow upon the death of George D. Widener and extends to the members of his family its sympathy on the occasion of their bereavement.

The Commission approved the request of Francis P. Dunne, Steward, to serve at the Fair Grounds in New Orleans, from December 16th until the 1972 racing season opens in New York.

The Commission considered and took appropriate action with respect to applications for occupational licenses.

There being no further business, on motion duly made or seconded, the meeting adjourned.

Respectfully submitted,


Harry J. Millar
Secretary