

# Public-Private Board Considered for NYRA

**By Tom Precious**

**Courtesy BloodHorse.com**

New York lawmakers are considering a "hybrid" public and private composition for the future leadership of the New York Racing Association, though there is disagreement between the legislative houses over who gets to pick the board's private representatives.

"This is all fluid," cautioned Sen. John Bonacic, a Republican who chairs the Senate racing and wagering committee.

Under a scenario Bonacic said is contained within a Senate draft being circulated, the new NYRA board would have 15 members, down from the 17 created when the state took control of NYRA in late 2012 for what was supposed to be a three-year oversight period. That control phase was extended last year for an additional 12 months.

Under the state control period, a majority of NYRA board members have been appointed by Gov. Andrew Cuomo. Under the draft Senate plan, Cuomo would get two selections and the leaders of the Senate and Assembly would get one apiece.

The Senate plan also calls for the New York Thoroughbred Breeders and the New York Thoroughbred Horsemen's Association to have full voting powers on the board; currently the two representatives from those organizations have ex-officio status on the board. NYRA chief executive officer Christopher Kay would also be given a board seat.

The Senate plan also envisions a board member who would be a representative from the Saratoga Springs community. Bonacic said a plan being considered is to have the remaining eight slots considered private appointees, but they would have to be approved by the New York State Gaming Commission.

But Assemblyman Gary Pretlow, a Democrat who heads the Assembly racing and wagering committee, said he has heard nothing about such a plan for gaming commission approval of NYRA board members.

"I don't think the gaming commission should have anything to do with it because that would go right back to the governor," Pretlow said of the state agency controlled by the Cuomo administration.

Under the plan the Assembly is considering, all current NYRA board members appointed by the governor would be removed while the NYRA-selected members would stay. He said his plan also calls for two appointees from Cuomo and one apiece from the two legislative leaders and the same change as the Senate version giving the horsemen and breeders group full voting powers with their representatives.

Bonacic and Pretlow agreed on one matter: Both said lawmakers have no desire to see the current state control of NYRA extended for another year. They said there is a push to pass legislation on the matter before the Legislature ends its 2016 session on June 16.

Bonacic hopes to introduce legislation next week with the Senate's NYRA plan. He said stakeholders and others might have minor complaints about the idea, but, he added, "I think, substantively, the structure will be better and will satisfy the critics of the past."

The NYRA board in April advanced its own recommendations that included giving the state only four picks on a 15-member board; an all privately appointed board, or continuing the current state-controlled entity for another year.

State officials said NYRA has let it be known that a privatization effort would put an end to the racing corporation being subject to the state's Freedom of Information and open meetings laws.