

**NEW YORK STATE THOROUGHBRED BREEDING AND
DEVELOPMENT FUND CORPORATION
MINUTES OF THE MEETING OF THE BOARD OF
DIRECTORS HELD OCTOBER 29, 2020**

A meeting of the Board of Directors of the New York State Thoroughbred Breeding and Development Fund Corporation (the “Fund”) was held at 11:00 a.m. on October 29, 2020 via video conference using Zoom technology as permitted pursuant to Governor Cuomo’s Executive Order 202.1.

Present

John Poklemba	Chairman
Barry Sample	Chairman, NYS Gaming Commission
Richard Ball	Commissioner of Agriculture
William Wilmot, DVM	Member
Jeff Cannizzo	NYTB, Executive Director
Joseph McMahon	Member
John Graziano	Member
Philip Birsh	Member
Tracy Egan	Executive Director
Jill LaBoissiere	Comptroller
Adam Lawrence	Registrar
Kyle Flaherty	Counsel

Chairman Poklemba opened the meeting by noting that there was a quorum and by stating that the meeting is being conducted in accordance with Governor Cuomo’s Executive Order 202.1 authorizing the holding of public meetings telephonically. He further noted that this meeting is a special meeting to review the public comments received by the Fund in response to the Fund’s proposed rule concerning certain changes to residency requirements for dams of New York-bred foals, which was published in the New York State Registry on August 26, 2020, I.D. No. TBD-34-20-00008-P (the “Proposed Rule”).

As the first order of business, Chairman Poklemba asked Board member Jeff Cannizzo to review with the Board the substance of the Proposed Rule and its intent, which the Board had tentatively approved in 2019. He also asked Mr. Cannizzo to review with the Board members the public comments received since the Proposed Rule was published in the State Register in August 2020. Mr. Cannizzo discussed the substance and intent of the Proposed Rule and provided a brief summary of the procedural process concerning this proposed rulemaking. Mr. Cannizzo and Executive Director Tracy Egan then provided summaries of the public comments that supported and opposed the Proposed Rule. The Board members considered all of the public comments at length and provided their own perspectives concerning the extent to which the Proposed Rule

would serve to increase both the mare population and the foal population in New York while also providing necessary support for New York stallions. After an extended discussion ofn the issues, including the public comments:

A motion to approve the Proposed Rule was duly made, seconded and unanimously approved by the Board.

A discussion then ensued concerning the effective date of this rule change (“New Rule”) and the means by which this New Rule can be communicated to the general public prior to its effective date. It was noted that the New Rule would become effective upon publication in the State Register and that the soonest that could occur is November 18, 2020. However, since the action taken by the Board in adopting the New Rule occurred in a public meeting, a press release of the action taken at the meeting would be appropriate.

With no further business pending before the Board, the meeting was adjourned.