

**RESOLUTION No. 2009-03**

WHEREAS, the Task Force on the Future of Off-Track Betting in New York State (“OTB Task Force”) by letters dated May 15 has requested that each regional off-track betting corporation by May 28 commit not to enter into contracts or commitments beyond December 31, 2009 that require an amendment to their plans of operation and regulatory approval, including branch leases and totalisator contracts;

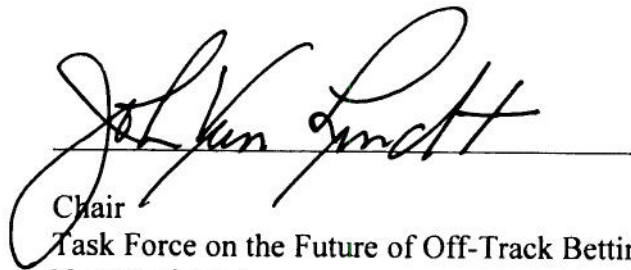
WHEREAS, the purpose of this request is to avoid potential impediments to the adoption and implementation of OTB Task Force recommendations; and

WHEREAS, regional off-track betting corporations have responded that broad voluntary compliance might be impractical;

NOW, THEREFORE, IT IS RESOLVED THAT the OTB Task Force requests that each regional off-track betting corporation include, in every such contract or commitment, this provision allowing the corporation and its successors or assigns to terminate unilaterally, with or without cause, on reasonable notice to other parties: “The [regional OTB] has the right to unilaterally terminate at any time with or without cause upon 60 days notice, with accounts to be adjusted and pro rated as of the termination date, in the event that legislation is enacted that shall substantially change the structure of off-track betting in the state of New York”; and

RESOLVED, that the OTB Task Force requests that the New York State Racing and Wagering Board require each regional off-track betting corporation to include this provision as a condition of regulatory approval of amendments to the plan of operation.

Adopted.



Chair  
Task Force on the Future of Off-Track Betting in  
New York State

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June 24, 2009