



**Agriculture and New York State Horse Breeding Development Fund
Minutes – February 13, 2026**

ITEM 1: CALL TO ORDER – Chairman Brian O'Dwyer called the meeting to order at approximately 11:07 a.m. Establishment of a quorum was noted by Chairman O'Dwyer. In attendance were Fund Board Members Richard Ball, Commissioner of the Department of Agriculture and Markets, and Steve Jones. Chairman O'Dwyer noted that he and Trustee Jones were participating from a publicly noticed location, and bilateral communication was established. Chairman O'Dwyer noted the presence of Executive Director Ralph Scunziano and Elizabeth Wolters, Deputy Commissioner of the Department of Agriculture and Markets.

ITEM 2: CONSIDERATION OF MINUTES OF SEPTEMBER 23, 2025 – The Fund considered previously circulated draft minutes of the meeting conducted on September 23, 2025. The minutes were accepted as circulated.

ITEM 3: FINANCIAL UPDATE: Giuseppe Carberg from Capitol Hill Management Services provided an update on the Fund's 2025 financials.

ITEM 4: CONSIDERATION OF SCHEDULES – The schedules for the Sire Stakes and the Excelsior Series were considered. Both schedules were publicly noticed with a notation "pending Fund Board approval." The proposed location for the 2026 Excelsior Finals is Tioga Downs.

The Sire Stakes and Excelsior Series Schedules were approved.

ON A MOTION BY: TRUSTEE JONES - APPROVED: 3-0

ITEM 5: CONSIDERATION OF RACING CONDITIONS FOR 2026 – Four sets of Conditions were before the Board:

- NY Sire Stakes No. 67, which is for the foals of 2025
- 2026 Excelsior Series
- 2026 County Fair Conditions
- 2026 Big Apple Trot and Pace

The Conditions do not contain any material changes from last year except for dates and the return to prohibiting trailers in Sire Stakes and Excelsior races. Additionally, it was suggested to add "unless otherwise prohibited by N.Y. Racing, Pari-Mutuel Wagering and Breeding Law" to the eligibility requirements.

The Conditions were approved.

ON A MOTION BY: TRUSTEE JONES - APPROVED: 3-0

ITEM 6: LEGISLATIVE UPDATE – Executive Director Scunziano provided the following update: Governor Kathy Hochul signed Assembly Bill A8533 (Pretlow) into law on February 7, 2024 (L. 2024, ch. 39). The changes impacted all series of racing (including the County Fair and Excelsior races). On September 29, 2023, the requirements for a mare to be bred in New York State were removed. Further changes were referenced in Governor Hochul’s October 2023 Approval Memorandum. With those changes, eligibility for the County Fair and Excelsior Series was once again restricted to foals bred in NY State (to a NY stallion and a mare bred in NY State). So, foals that are a product of shipped semen are only eligible for the Sire Stakes Series. Additionally, foals bred in NY State (to a NY stallion and a mare bred in NY State) are eligible for bonus payments for Sire Stakes Series races. On November 7, 2025, Assembly Bill A9234-A was introduced by Assemblymember Woerner, amended on December 1st and January 14th, referred to the Racing & Wagering Committee on January 7th and recommitted on January 14th. It was referred to the Ways and Means Committee on January 20th. On February 11, 2026, S9183, sponsored by Senator Addabbo and same as A9234-A, was introduced and referred to the Racing & Wagering Committee. The Bills, as currently written, would remove the requirement for mares to be bred in New York State in order for their resulting foals to be eligible to participate in the Excelsior and County Fair Races and would modify the bonus payment structure.

ITEM 7: NEW/OLD BUSINESS – There was no new or old business to discuss.

ITEM 8: MOTION TO ENTER INTO EXECUTIVE SESSION – The Members convened into Executive Session for the express purpose of consideration of personnel matters pursuant to New York Public Officers Law Section 105(1)(f).

ON A MOTION BY: TRUSTEE JONES - APPROVED: 3-0

Return from Executive Session. Chairman O’Dwyer concluded the Executive Session and had the record reflect that the Executive Session was limited to discussion pertaining to personnel matters, as provided under Public Officers Law Section 105(1)(f).

Fletcher Whyland was appointed as Fund's Executive Director.

ON A MOTION BY: TRUSTEE JONES - APPROVED: 3-0

ITEM 9: ADJOURNMENT: Chairman O’Dwyer declared the meeting adjourned at approximately 11:28 a.m.