

THE NEW YORK BREEDING AND RACING ASSOCIATION

Section 235 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law requires that the State Racing and Wagering Board “if it deems such requirement practicable” may require each thoroughbred racetrack in the State to provide at least one race during the racing season exclusively for horses foaled in New York State.

As racing laws go, this isn't one of the oldest laws on the books. It dates from 1940 when New York started pari-mutuel racing. But it's hard to find one that's more archaic.

The fact is that New York breders – once a side show and frequently derided as “New York bred vermin” – are now a cornerstone of New York racing. You couldn't run a racetrack without them. In 2005, at the NYRA tracks, 722 of the races were exclusively for New York breders. That corresponds to 31.2% of all races. On your basic day at NYRA, three races will be for New York breders.

The purse value of the races for New York breders have also increased markedly. In 2000, the purse money for restricted races was \$20.6 million. Now the purse level is at \$33.7 million which means that the purse level for the average NY bred races is now at \$46,675. Once there are VLT's in place at Aqueduct, the likelihood is that purse levels for New York breders will increase markedly.

By now, 31.2% of the races at NYRA are races restricted to New York breders. By contrast, in 1994, the last full year that NYRA ran six days per week (291 race days) for the entire year, NYRA ran 411 NY bred races. This was approximately one sixth of the races at NYRA. The percentage of races at NYRA for New York breders at NYRA has nearly doubled over the past decade.

In 1994, the State legislature attempted to force NYRA into running a winter meet at Aqueduct. (L. 1994, ch. 281) One of the reasons behind the Aqueduct winter legislation was the belief that if NYRA didn't run during the winter, there would be almost no opportunity for New York breders to run at NYRA. That has not proven to be the case. Every day in New York is now New York bred day.

One of the other motivations behind the 1994 legislation was the belief that elitist NYRA officials did not want to run NY bred races. Again, a decade later this has not proven to be a valid concern. New York breders now furnish NYRA with races with full fields, an ability to fill race cards, and with races where the purses are derived from the State Thoroughbred Breeding and Development Fund and not from NYRA's own purse funds.

Additionally in 1994, the legislature changed the breeding laws (L. 1994, ch. 282) to end the “breed back rule” under which a resident New York mare who was bred to a stallion located outside the State needed to be bred back to a stallion domiciled in New

York State during the next foaling season. This was a very contentious issue in 1994 with many people concerned that the end of the “breed back” rule would harm smaller breeding operations while only serving to enhance New York’s major commercial breeders. Right now, the anti-breed back people have the better of the argument. The number of New York bred horses from 1993 to 2003 has increased from 1,388 in 1993 to 1,998 in 2003 – thus providing NYRA and Finger Lakes with ample numbers of New York bred horses to fill races. During that time period which nationwide saw a small decrease in the number of foals produced in America, the number of New York bred horses increased by 43.9% - far and away the largest increase among the major thoroughbred breeding states. In 1993, more foals were produced in Texas, Louisiana, Oklahoma, and Illinois than in New York. Now, New York has a foal crop in excess of all these states. The most direct comparison can be made to Maryland. In 1993, the foal crop in New York (1,388) was one foal higher than the foal crop in Maryland (1,387). Currently, the size of the New York foal crop is almost double that of Maryland (1998 in NY to 1014 in Maryland). All the breeding statistics are from the Jockey Club Fact Book at <http://www.jockeyclub.com/factbook.asp?section=4>.

NYRA might just want to consider changing its name to NYBRA the New York Breeding and Racing Association.