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I N   S E N A T E

March 30, 2012

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Introduced by Sens. LANZA, GOLDEN -- read twice and ordered printed, and  
when printed to be committed to the Committee on Finance

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in  
relation to provision of health insurance and supplemental benefits to  
retirees of the New York city off-track betting corporation; and  
making an appropriation therefor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Legislative intent. The state of New York has an interest  
2     in the welfare of its citizens, and the general welfare of its senior  
3     citizens is a matter of great public concern to the state. On December  
4     7, 2010, the New York city off-track betting corporation, a public bene-  
5     fit corporation created in 1973 pursuant to article VI of the racing,  
6     pari-mutual wagering and breeding law ceased operations. The legislature  
7     finds that, since its inception, off-track betting in the city of New  
8     York provided the state with significant revenues to support government  
9     operations. The legislature further finds that after the governor issued  
10    an executive order to allow the New York city off-track betting corpo-  
11    ration to file for bankruptcy pursuant to Chapter 9 of the United States  
12    Bankruptcy Code, the unions representing the employees of such off-track  
13    betting corporation worked tirelessly to assist the corporation in its  
14    restructuring efforts, including two collective bargaining agreements  
15    wherein the employees made significant concessions, including voluntary  
16    separation from the corporation, in order to save the corporation and  
17    assist their fellow employees.

18    The legislature further finds that employees retired from such corpo-  
19    ration, after having received the assurance that they and their depen-  
20    dants would receive health insurance and supplemental benefit coverage  
21    under their collective bargaining representative's welfare benefit  
22    program. After the closure of the New York city off-track betting corpo-  
23    ration, those benefits ceased.

24    The legislature further finds that cessation of these benefits to  
25    public employees who have devoted their working lives to service of a  
26    state public benefit corporation works a great injustice and a severe

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 hardship to the retirees and their dependants, thereby putting their  
2 health and very lives in danger.

3 The legislature further finds that by honoring the commitment to  
4 provide health insurance and supplemental benefits to retirees of the  
5 New York city off-track betting corporation, the state reaffirms its  
6 commitment to ameliorate the deleterious impact which the closure of  
7 such corporation has had upon the citizens of the state.

8 S 2. Subdivision 4 of section 606 of the racing, pari-mutuel wagering  
9 and breeding law, as amended by chapter 115 of the laws of 2008, is  
10 amended to read as follows:

11 4. All [employees and officers] PRESENT AND FUTURE RETIREES of the  
12 corporation in classes or positions whose incumbents, in equivalent  
13 classes or positions of the city, are eligible, as of the effective date  
14 hereof, to participate in, and receive benefits from any city authorized  
15 health insurance or welfare benefit program, shall be eligible to  
16 participate in, and receive benefits from any such health insurance or  
17 welfare benefit program; provided, however, that the [corporation] STATE  
18 shall reimburse the city or its designee for the actual cost of benefits  
19 under this subdivision.

20 S 3. The sum of seven million dollars (\$7,000,000), or so much thereof  
21 as may be necessary, is hereby appropriated to the department of civil  
22 service out of any moneys in the state treasury in the general fund to  
23 the credit of the aid to localities account, not otherwise appropriated,  
24 and made immediately available, for the purpose of carrying out the  
25 provisions of this act. Such moneys shall be payable on the audit and  
26 warrant of the comptroller on vouchers certified or approved by the  
27 president of the civil service commission in the manner prescribed by  
28 law.

29 S 4. This act shall take effect immediately.