

3334--A

2011-2012 Regular Sessions

I N S E N A T E

February 17, 2011

Introduced by Sens. LANZA, GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the racing, pari-mutuel wagering and breeding law and the state finance law, in relation to the New York city off-track betting corporation and establishing the New York city off-track betting corporation fund; and to repeal certain provisions of the racing, pari-mutuel wagering and breeding law relating thereto

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

1 Section 1. Subdivision 9 of section 602 of the racing, pari-mutuel
2 wagering and breeding law, as amended by chapter 115 of the laws of
3 2008, is amended and a new subdivision 15 is added to read as follows:
4 9. "Cost of corporation's functions." All costs and expenses incurred
5 by the corporation in connection with the performance of the functions
6 of the corporation, including, but not limited to, operating expenses of
7 the corporation, the cost of acquiring, constructing or equipping branch
8 offices and other facilities and premises of the corporation, [and
9 interest and principal on bonds,] notes or other obligations of the
10 corporation issued to finance the acquisition, construction or equipment
11 of such offices, facilities or premises.

12 15. "VENDOR OPERATOR." THE VENDOR OPERATOR SHALL BE SELECTED PURSUANT
13 TO THE PROVISIONS SET FORTH IN SECTION SIX HUNDRED TWENTY-FIVE OF THIS
14 ARTICLE AND SHALL BE RESPONSIBLE FOR THE ADMINISTRATION AND OPERATION OF
15 THE CORPORATION.

16 S 2. Section 603 of the racing, pari-mutuel wagering and breeding law,
17 as amended by chapter 115 of the laws of 2008, is amended to read as
18 follows:

19 S 603. New York city off-track betting corporation. 1. A corporation
20 to be known as the "New York city off-track betting corporation" is

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

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1 hereby created. Such corporation shall be a body corporate and politic
2 constituting a public benefit corporation. It shall be [administered]
3 OVERSEEN by a board of directors consisting of five members, who may be
4 public officers, appointed by the governor for fixed terms as hereinaft-
5 er provided, one of whom shall be appointed on the recommendation of the
6 temporary president of the senate, and one of whom shall be appointed on
7 the recommendation of the speaker of the assembly.

8 2. THE TERMS OF ALL DIRECTORS SERVING A TERM THAT ENCOMPASSED JANUARY
9 TWENTY-FIFTH, TWO THOUSAND ELEVEN, SHALL BE DEEMED TO HAVE EXPIRED AND
10 NEW DIRECTORS SHALL BE APPOINTED. Of the directors, one shall be
11 appointed for a term ending on December thirty-first, two thousand
12 [nine] ELEVEN, one for a term ending on December thirty-first, two thou-
13 sand [ten] TWELVE, one for a term ending on December thirty-first, two
14 thousand [twelve] THIRTEEN, and the two directors appointed on the
15 recommendation of the temporary president of the senate and the speaker
16 of the assembly, for a term ending December thirty-first, two thousand
17 fourteen. Upon the expiration of such terms, the terms of office of
18 their successors shall be six years. Vacancies occurring otherwise than
19 by expiration of term shall be filled for the unexpired term.

20 3. The governor shall designate one of the directors to be chairman of
21 the board of directors and may at his pleasure, change his designation
22 of any such director to be chairman.

23 4. Each director shall continue to serve until the appointment and
24 qualification of his successor.

25 5. The directors shall be removable for cause by the governor, upon
26 charges and after a hearing.

27 6. The [powers] OVERSIGHT of the corporation shall be vested in and
28 exercised by the board at a meeting duly held at a time fixed by any
29 by-law adopted by the board, or at any duly adjourned meeting of such
30 meeting or at any meeting held upon reasonable notice to all of the
31 directors, or upon written waiver thereof, and a majority of the whole
32 number of directors shall constitute a quorum[; provided that neither
33 the business nor the powers of the corporation shall be transacted or
34 exercised except pursuant to the favorable vote of at least a majority
35 of the directors present at a meeting at which a quorum is in attend-
36 ance].

37 7. The board may delegate to one or more of the directors, officers,
38 agents or employees of the corporation such powers and duties as it may
39 deem proper.

40 8. The directors shall be reimbursed for their actual and necessary
41 expenses incurred in the performance of their official duties.

42 9. The directors may engage in outside employment or in a profession
43 or business EXCEPT AS AN EXECUTIVE OR LEGISLATIVE EMPLOYEE OR unless
44 otherwise prohibited from doing so by virtue of holding another public
45 office subject to the provisions of section seventy-three of the public
46 officers law.

47 10. The board shall hold an annual meeting.

48 11. The fiscal year of the corporation shall be the same as [that of
49 the city, provided, however, that the corporation shall have a nine
50 month fiscal year from July first, two thousand eight through March
51 thirty-first, two thousand nine, and then the fiscal year of the corpo-
52 ration shall be the same as] the state.

53 12. THE CORPORATION WILL BE ADMINISTERED BY THE VENDOR OPERATOR AND
54 THE POWERS OF THE CORPORATION SHALL BE VESTED IN THE VENDOR OPERATOR.

55 S 3. Section 617 of the racing, pari-mutuel wagering and breeding law
56 is amended to read as follows:

1 S 617. Exemption from taxation. [1.] The moneys and property of the
2 corporation and any property under its jurisdiction, control or super-
3 vision, and all of its activities and operations shall be exempt from
4 taxation.

5 [2. The state covenants with the purchasers of and with all subsequent
6 holders and transferees of bonds and notes issued by the corporation
7 pursuant to this article, in consideration of the acceptance of and
8 payment for the said bonds and notes, that the said bonds and notes and
9 the income therefrom, and all moneys, funds and revenue pledged to pay
10 or secure the payment of such bonds and notes shall at all time be free
11 from taxation, except for estate and gift taxes and taxes on transfers.]

12 S 4. The opening paragraph of section 621 of the racing, pari-mutuel
13 wagering and breeding law, as amended by chapter 115 of the laws of
14 2008, is amended to read as follows:

15 Within one hundred twenty days after the end of the fiscal year of the
16 corporation, the [directors thereof] VENDOR OPERATOR shall submit to the
17 governor, the legislature, the racing and wagering board and the state
18 comptroller a complete and detailed report setting forth:

19 S 5. The racing, pari-mutuel wagering and breeding law is amended by
20 adding a new section 625 to read as follows:

21 S 625. SELECTION OF VENDOR OPERATOR. 1. THE NEW YORK STATE RACING AND
22 WAGERING BOARD SHALL SUBMIT, WITHIN THIRTY DAYS AFTER THESE PROVISIONS
23 BECOME LAW, A REQUEST FOR PROPOSALS FROM QUALIFYING ENTITIES AS
24 DESCRIBED HEREIN FOR THE PURPOSE OF THE ADMINISTRATION OF THE CORPO-
25 RATION. THE ENTITY CHOSEN TO ADMINISTER THE CORPORATION SHALL ENTER INTO
26 A CONTRACT WITH THE STATE FOR A TERM OF TEN YEARS, WHICH MAY BE RENEWED
27 SUBJECT TO THE APPROVAL OF THE STATE RACING AND WAGERING BOARD AND THE
28 APPROVAL OF THE NEW YORK CITY OFF-TRACK BETTING BOARD OF DIRECTORS.

29 2. ELIGIBLE ENTITIES SHALL CONSIST OF INDIVIDUALS, PARTNERSHIPS OR
30 CORPORATIONS, PUBLIC OR PRIVATE, WHICH ARE REQUIRED AS PART OF THEIR
31 PROPOSAL TO SUBMIT AT LEAST ONE BUSINESS PLAN FOR THE RE-ESTABLISHMENT
32 AND CONTINUATION OF A PROFITABLE CORPORATION. IN AWARDING THE CONTRACT,
33 THE STATE RACING AND WAGERING BOARD MUST CONSIDER THE FOLLOWING CRITERIA
34 WITH RESPECT TO EACH APPLICANT: ITS EXPERIENCE IN MANAGING SUCCESSFUL
35 BUSINESS ENTERPRISES, ITS EXPERIENCE IN THE RACING INDUSTRY, ITS EXPERI-
36 ENCE IN THE PARI-MUTUEL AND/OR OFF-TRACK BETTING INDUSTRIES, ITS EXPERI-
37 ENCE IN THE ENTERTAINMENT INDUSTRY, THE FEASIBILITY OF ITS PROPOSED
38 BUSINESS PLAN OR PLANS, AND ITS COMMITMENT TO USE ITS BEST EFFORTS TO
39 SUPPORT THE VIABILITY OF OFF-TRACK BETTING IN THE CITY OF NEW YORK AS
40 WELL AS THE RACING INDUSTRY THROUGHOUT THE STATE.

41 3. ALL BUSINESS PLANS SUBMITTED BY AN ENTITY MUST INCLUDE PROVISIONS
42 FOR PRIORITY FOR CONSIDERATION FOR EMPLOYMENT BY ANY FORMER EMPLOYEE OF
43 THE CORPORATION WHOSE EMPLOYMENT TERMINATED OTHER THAN FOR CAUSE, BY
44 RETIREMENT, OR WITH A SEVERANCE AWARD. SUCH PLANS MUST ALSO PROVIDE FOR
45 REPRESENTATION OF OFF-TRACK BETTING BRANCH OFFICES, OR AN EQUIVALENT, IN
46 ALL OF THE BOROUGHS OF THE CITY OF NEW YORK, WITH PREFERENCE GIVEN FOR
47 BUSINESS PLANS THAT HAVE AT LEAST THREE FACILITIES IN EACH BOROUGH AND
48 THAT MAINTAIN THE SAME RATIO OF ACCESS TO OFF-TRACK BETTING FACILITIES
49 AS WAS PREVIOUSLY PROVIDED BY THE CORPORATION PRIOR TO DECEMBER FIRST,
50 TWO THOUSAND TEN.

51 4. THE STATE RACING AND WAGERING BOARD SHALL MAKE PUBLIC ITS PRELIMI-
52 NARY SELECTION OF THE VENDOR OPERATOR NO LATER THAN THREE MONTHS AFTER
53 THE SUBMISSION OF THE REQUEST FOR PROPOSALS, AND ALLOW FOR TWO WEEKS FOR
54 PUBLIC COMMENT. THE FINAL SELECTION AND THE CONTRACT BETWEEN THE VENDOR
55 AND THE STATE MUST BE FINALIZED WITHIN THIRTY DAYS OF THE PRELIMINARY

1 SELECTION, BUT NO SOONER THAN THE END OF THE TWO WEEK PUBLIC COMMENT
2 PERIOD.

3 5. THE SELECTION OF VENDOR MAY BE REVOKED AND CANCELLED BY THE STATE
4 RACING AND WAGERING BOARD FOR A MATERIAL BREACH OF CONTRACT OR FOR A
5 VIOLATION OF THE RULES OF THE STATE RACING AND WAGERING BOARD OR IF SUCH
6 VENDOR OR ITS OFFICERS OR DIRECTORS SHALL KNOWINGLY VIOLATE THE
7 PROVISIONS OF THIS CHAPTER OR OF THE PENAL LAW. THE ACTION OF THE STATE
8 RACING AND WAGERING BOARD IN REVOKING THE SELECTION SHALL BE REVIEWABLE
9 IN THE SUPREME COURT IN THE MANNER PROVIDED BY AND SUBJECT TO THE
10 PROVISIONS OF ARTICLE SEVENTY-EIGHT OF THE CIVIL PRACTICE LAW AND RULES.

11 6. FOR CONTRACTS IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS, ENTERED
12 INTO BY THE VENDOR FOR THE PROCUREMENT OF GOODS OR SERVICES, THE BOARD
13 MAY REVIEW THE CHARACTER AND FITNESS OF THE ENTITY OR ITS PRINCIPALS
14 ENTERING INTO CONTRACTS WITH THE VENDOR.

15 S 6. Clause (E) of subparagraph 5 and clause (F) of subparagraph 6 of
16 paragraph b of subdivision 1 of section 1016 of the racing, pari-mutuel
17 wagering and breeding law, as amended by chapter 18 of the laws of 2008,
18 are amended to read as follows:

19 (E) On days when a franchised corporation is not conducting a race
20 meeting and when a licensed harness track is neither accepting wagers
21 nor displaying the signal from an in-state thoroughbred corporation or
22 association or an out-of-state thoroughbred track:

23 (i) Such licensed regional harness track shall receive in lieu of any
24 other payments on wagers placed at off-track betting facilities outside
25 the special betting district on races conducted by an in-state thorough-
26 bred racing corporation, [two and eight-tenths] ONE AND FOUR-TENTHS
27 percent on regular and multiple bets during a regional meeting and [one
28 and nine-tenths] NINETY-FIVE HUNDREDTHS percent of such bets if there is
29 no regional meeting and [four and eight-tenths] TWO AND FOUR-TENTHS
30 percent on exotic bets on days on which there is a regional meeting and
31 [three and four-tenths] ONE AND SEVEN-TENTHS percent of such bets if
32 there is no regional meeting.

33 (ii) Such licensed regional harness track shall receive [one and one-
34 half] SEVENTY-FIVE HUNDREDTHS per centum on total regional handle on
35 races conducted at out-of-state or out-of-country thoroughbred tracks.

36 (iii) In those regions in which there is more than one licensed
37 regional harness track, if no track is accepting wagers or displaying
38 the live simulcast signal from the out-of-state track, the total sum
39 shall be divided among the tracks in proportion to the ratio the wagers
40 placed on races conducted by each track bears to the corporation's total
41 in-region harness handle. If one or more tracks are accepting wagers or
42 displaying the live simulcast signal, the total amount shall be divided
43 among those tracks not accepting wagers or displaying the simulcast
44 signal for an out-of-state track or in-state thoroughbred corporation or
45 association.

46 (F) Of the sums retained by a licensed harness facility, [fifty] ONE
47 HUNDRED percent shall be used exclusively for purses awarded in races
48 conducted by such licensed facility [and the remaining fifty percent
49 shall be retained by such licensed facility for its general purposes,
50 provided, however, that in a harness special betting district the
51 portion of the sums retained by a licensed harness facility to be used
52 for purses or the methodology for calculating the amount to be used for
53 purses may be specified in a written contract between a harness racing
54 association or corporation and its representative horsemen's associ-
55 ation].

1 S 7. Section 1017 of the racing, pari-mutuel wagering and breeding
2 law, as amended by chapter 18 of the laws of 2008, is amended to read as
3 follows:

4 S 1017. Out-of-state or out-of-country races. 1. Licensed simulcast
5 facilities may accept wagers and display the signal of out-of-state or
6 out-of-country thoroughbred tracks after 7Labor P.M. in accordance with
7 the provisions of this section. Such simulcasting may include mixed
8 meetings if such meetings are integral to such racing programs and all
9 such wagering on such races shall be construed to be thoroughbred races.
10 For facilities located within the special betting district, such
11 approval shall also be required from a thoroughbred racing corporation
12 during the period a racing program is being conducted at such track.
13 Such approval shall not be required on any day such thoroughbred racing
14 corporation is also accepting an out-of-state or out-of-country signal
15 and wager, as authorized by this section. The provisions of section one
16 thousand sixteen of this article shall be applicable to the conduct of
17 such simulcasting and the provisions of clauses (A) and (B) of subpara-
18 graph four of paragraph b of subdivision one of section one thousand
19 sixteen of this article shall apply to those facilities licensed in
20 accordance with sections one thousand eight and one thousand nine of
21 this article and the provisions of clauses (A) and (B) of subparagraph
22 six of paragraph b of subdivision one of section one thousand sixteen of
23 this article shall apply to those facilities licensed in accordance with
24 section one thousand seven of this article, when such provisions are in
25 full force and effect pursuant to such section. Provided, however, the
26 provisions of section one thousand fourteen of this article shall be
27 applicable to the conduct of such simulcasting, when such provisions are
28 in full force and effect pursuant to such section.

29 2. a. Maintenance of effort. Any off-track betting corporation which
30 engages in accepting wagers on the simulcasts of thoroughbred races from
31 out-of-state or out-of-country as permitted under subdivision one of
32 this section shall submit to the board, for its approval, a schedule of
33 payments to be made in any year or portion thereof, that such off-track
34 corporation engages in nighttime thoroughbred simulcasting. In order to
35 be approved by the board, the payment schedule shall be identical to the
36 actual payments and distributions of such payments to [tracks and] purs-
37 es made by such off-track corporation pursuant to the provisions of
38 section one thousand fifteen of this article during the year two thou-
39 sand two, as derived from out-of-state harness races displayed after
40 6:00 P.M. If approved by the board, such scheduled payments shall be
41 made from revenues derived from any simulcasting conducted pursuant to
42 this section and section one thousand fifteen of this article.

43 b. Additional payments. During each calendar year, to the extent, and
44 at such time in the event, that aggregate statewide wagering handle
45 after 7Labor P.M. on out-of-state and out-of-country thoroughbred races
46 exceeds one hundred million dollars, each off-track betting corporation
47 conducting such simulcasting shall pay to its regional harness track or
48 tracks, an amount equal to [two] ONE percent of its proportionate share
49 of such excess handle. In any region where there are two or more
50 regional harness tracks, such two percent shall be divided between or
51 among the tracks in a proportion equal to the proportion of handle on
52 live harness races conducted at such tracks during the preceding calen-
53 dar year. [Fifty percent of the] THE sum received by each track pursuant
54 to this paragraph shall be used exclusively for increasing purses,
55 stakes and prizes at that regional harness track.

1 S 8. Subdivision 2 of section 529 of the racing, pari-mutuel wagering
2 and breeding law is amended to read as follows:

3 2. [Ninety-five percent of the balance of such account remaining
4 unclaimed as of the last day of February of such year shall be paid to
5 the state tax commission by March fifteenth. On or before April tenth of
6 each year the balance of such account and any other unclaimed amounts
7 received in the course of conducting off-track betting shall be paid by
8 such corporation to the state tax commission. A penalty of five percent
9 and interest at the rate of one percent per month from the due date to
10 the date of payment of the unclaimed balance due March fifteenth or
11 April tenth, as the case may be, shall be payable in case such balance
12 is not paid when due. Such amounts, interest and penalties when
13 collected by the state tax commission shall be deposited into the gener-
14 al fund of the state treasury] ON APRIL FIRST OF EACH YEAR, THE AMOUNT
15 OF TICKETS REMAINING UNCLAIMED FROM THE PRIOR YEAR MAY BE USED FOR
16 CORPORATE PURPOSES.

17 S 9. Subdivision 7 of section 532 of the racing, pari-mutuel wagering
18 and breeding law, as added by chapter 115 of the laws of 2008, is
19 amended to read as follows:

20 7. Notwithstanding any other provision of this section, any payments
21 otherwise payable to a city with a population of one million or more,
22 pursuant to this section, [other than payments pursuant to subparagraphs
23 (i) and (iii) of paragraph b of subdivision three of this section, shall
24 be payable to the corporation and shall be available for its corporate
25 purposes] SHALL PAY REMAINING AMOUNTS TO THE COMPTROLLER OF THE STATE OF
26 NEW YORK FOR DEPOSIT IN THE NEW YORK CITY OFF-TRACK BETTING CORPORATION
27 FUND.

28 S 10. Subdivision 2 of section 610 of the racing, pari-mutuel wagering
29 and breeding law, as amended by chapter 115 of the laws of 2008, is
30 amended to read as follows:

31 2. All moneys due the city pursuant to article five-A of this chapter
32 shall be paid to the New York city [comptroller] OFF-TRACK BETTING
33 CORPORATION FUND.

34 S 11. Subdivision 6 of section 527 of the racing, pari-mutuel wagering
35 and breeding law, as amended by chapter 115 of the laws of 2008, is
36 amended to read as follows:

37 6. The net amount remaining to each regional corporation after payment
38 of taxes and distributions pursuant to this section and after payment of
39 operating expenses and principal and interest on any obligations shall,
40 in the case of the New York city off-track betting corporation, be
41 retained by the corporation, and in the case of other regional corpo-
42 rations shall accrue and be payable to participating counties pursuant
43 to section five hundred sixteen of this chapter; provided, however, that
44 the [New York city off-track betting corporation] VENDOR OPERATOR, after
45 payment of all current taxes and distributions shall use such net amount
46 to pay all [liabilities] OPERATING EXPENSES of such corporation [as of
47 the effective date of the chapter of the laws of two thousand eight
48 which amended this subdivision], and at such time as all [liabilities]
49 OPERATING EXPENSES have been paid, such [corporation] VENDOR OPERATOR
50 shall pay ANY remaining amounts to the comptroller of the state of New
51 York for deposit in the [general fund of the state] NEW YORK CITY
52 OFF-TRACK BETTING CORPORATION FUND.

53 S 12. The racing, pari-mutuel wagering and breeding law is amended by
54 adding a new section 626 to read as follows:

55 S 626. VENDOR OPERATOR FEE. AS CONSIDERATION FOR THE OPERATION OF THE
56 CORPORATION, THE COMPTROLLER SHALL PAY A VENDOR FEE IN EXCHANGE FOR THE

1 DAILY OPERATIONS AND CAPITALIZATION OF A NEW YORK CITY OFF-TRACK BETTING
2 OPERATION TO BE PAID AS FOLLOWS: IF THE ANNUAL DEPOSIT INTO THE NEW
3 YORK CITY OFF-TRACK BETTING CORPORATION FUND IS LESS THAN TWO AND
4 ONE-HALF MILLION DOLLARS, THE VENDOR OPERATOR SHALL RECEIVE ONE HUNDRED
5 PERCENT OF THE ANNUAL DEPOSITS; IF THE ANNUAL DEPOSIT INTO THE NEW YORK
6 CITY OFF-TRACK BETTING CORPORATION FUND IS LESS THAN OR EQUAL TO TEN
7 MILLION DOLLARS, THE VENDOR OPERATOR SHALL BE PAID TWO AND ONE-HALF
8 MILLION DOLLARS AND THE REMAINING FUNDS SHALL BE DEPOSITED TO THE STATE
9 GENERAL FUND; IF THE ANNUAL DEPOSIT IS MORE THAN TEN MILLION DOLLARS,
10 THE VENDOR OPERATOR SHALL BE PAID TWENTY-FIVE PERCENT OF THE TOTAL ANNU-
11 AL DEPOSITS AND THE REMAINING FUNDS SHALL BE DEPOSITED TO THE STATE
12 GENERAL FUND.

13 S 13. The state finance law is amended by adding a new section 97-kkkk
14 to read as follows:

15 S 97-KKKK. NEW YORK CITY OFF-TRACK BETTING CORPORATION FUND. 1. THERE
16 IS HEREBY ESTABLISHED IN THE CUSTODY OF THE COMPTROLLER, A SPECIAL FUND
17 TO BE KNOWN AS THE "NEW YORK CITY OFF-TRACK BETTING CORPORATION FUND".

18 2. SUCH FUND SHALL CONSIST OF ALL MONIES RECEIVED BY THE STATE PURSU-
19 ANT TO SUBDIVISIONS ONE AND SIX OF SECTION FIVE HUNDRED TWENTY-SEVEN AND
20 SUBDIVISION SEVEN OF SECTION FIVE HUNDRED THIRTY-TWO OF THE RACING,
21 PARI-MUTUEL WAGERING AND BREEDING LAW. ANY INTEREST EARNED BY THE
22 INVESTMENT OF MONEYS IN SUCH FUND SHALL BE ADDED TO SUCH FUND, BECOME A
23 PART OF SUCH FUND, AND BE USED FOR THE PURPOSE OF SUCH FUND.

24 3. MONEYS OF THE NEW YORK CITY OFF-TRACK BETTING CORPORATION FUND
25 SHALL BE MADE AVAILABLE TO THE COMPTROLLER FOR THE PURPOSE OF PAYING THE
26 NEW YORK CITY OFF-TRACK BETTING VENDOR OPERATOR FEE DISTRIBUTED ACCORD-
27 ING TO SECTION SIX HUNDRED TWENTY-SIX OF THE RACING, PARI-MUTUEL WAGER-
28 ING AND BREEDING LAW; ALL REMAINING MONEY SHALL BE DISBURSED INTO THE
29 STATE GENERAL FUND.

30 S 14. The racing, pari-mutuel wagering and breeding law is amended by
31 adding a new section 113 to read as follows:

32 S 113. TELEPHONE AND INTERNET WAGERING. THE STATE RACING AND WAGERING
33 BOARD SHALL DETERMINE WHETHER ELIMINATING OR REGULATING THE AUTHORITY OF
34 OUT-OF-STATE ENTITIES TO ACCEPT TELEPHONE AND/OR INTERNET WAGERING FROM
35 NEW YORK STATE RESIDENTS PLACED WHILE IN NEW YORK STATE, WOULD BE
36 CONSISTENT WITH THE OBJECTIVES OF OFF-TRACK PARI-MUTUEL BETTING AS
37 DEFINED IN SECTION FIVE HUNDRED EIGHTEEN OF THIS CHAPTER, AND IF SO
38 DETERMINED, THE STATE RACING AND WAGERING BOARD SHALL ESTABLISH SUCH
39 GENERAL REGULATIONS TO ELIMINATE OR REGULATE THE PRACTICE OF
40 OUT-OF-STATE ENTITIES OF ACCEPTING SUCH WAGERS.

41 S 15. Subdivision 4 of section 606 of the racing, pari-mutuel wagering
42 and breeding law, as amended by chapter 115 of the laws of 2008, is
43 amended to read as follows:

44 4. All [employees and officers] PRESENT AND FUTURE RETIREES of the
45 corporation in classes or positions whose incumbents, in equivalent
46 classes or positions of the city, are eligible, as of the effective date
47 hereof, to participate in, and receive benefits from any city authorized
48 health insurance or welfare benefit program, shall be eligible to
49 participate in, and receive benefits from any such health insurance or
50 welfare benefit program; provided, however, that the [corporation] STATE
51 shall reimburse the city or its designee for the actual cost of benefits
52 under this subdivision.

53 S 16. Subdivisions 4 and 5 of section 610 of the racing, pari-mutuel
54 wagering and breeding law are REPEALED.

55 S 17. Section 611 of the racing, pari-mutuel wagering and breeding law
56 is REPEALED.

1 S 18. Section 612 of the racing, pari-mutuel wagering and breeding law
2 is REPEALED.
3 S 19. Section 613 of the racing, pari-mutuel wagering and breeding law
4 is REPEALED.
5 S 20. Section 614 of the racing, pari-mutuel wagering and breeding law
6 is REPEALED.
7 S 21. Section 616 of the racing, pari-mutuel wagering and breeding law
8 is REPEALED.
9 S 22. Section 620 of the racing, pari-mutuel wagering and breeding law
10 is REPEALED.
11 S 23. This act shall take effect immediately.