

5054

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to extending the Catskill region to include the five counties comprising the city of New York

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

1 Section 1. Legislative findings and intent. The legislature hereby
2 finds the following:
3 a. That the state of New York has an interest in the welfare of its
4 citizens, and a particular interest in the preservation and expansion of
5 the racing industry which provides employment to thousands of employees
6 across the state.
7 b. That on December 7, 2010, the New York city off-track betting
8 corporation (NYCOTB), a public benefit corporation created in 1973
9 pursuant to article VI of the racing, pari-mutuel wagering and breeding
10 law, ceased operations.
11 c. That the closure of the New York city off-track betting corporation
12 has created a considerable hardship to the employees who have lost their
13 jobs as a result.
14 d. That the closure of the New York city off-track betting corporation
15 has resulted in a significant loss of revenue to the state of New York.
16 The legislature hereby declares that residents of the five counties of
17 the city of New York should be afforded an opportunity to place wagers
18 at off-track betting facilities. The legislature further declares that
19 employees who lost their jobs as a result of the closure of the New York
20 city off-track betting corporation should be afforded an opportunity to
21 return to employment.
22 S 2. Subdivision 1 of section 519 of the racing, pari-mutuel wagering
23 and breeding law, paragraph (e) as amended by chapter 260 of the laws of

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

LBD11149-01-1

1 1987 and paragraphs (f), (g) and (h) as amended by chapter 125 of the
2 laws of 1997, is amended to read as follows:

3 1. "Region." One or more of the following named regions comprised of
4 the counties indicated:

5 a. Suffolk: Suffolk county;

6 b. Nassau: Nassau county;

7 c. [New York city: the five counties comprising the city of New York;

8 d.] Catskill: Broome, Chemung, Chenango, Delaware, Orange, Rockland,
9 Sullivan, Tioga, Dutchess, Tompkins, Westchester, Putnam and Ulster,
10 RICHMOND, QUEENS, KINGS, BRONX AND NEW YORK counties;

11 [e.] D. Capital District: Albany, Clinton, Columbia, Cortland, Essex,
12 Franklin, Fulton, Greene, Hamilton, Herkimer, Madison, Montgomery, Onei-
13 da, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, St. Lawrence,
14 Warren and Washington counties;

15 [f.] E. Central: Lewis and Onondaga counties;

16 [g.] F. Western: Allegany, Cattaraugus, Cayuga, Chautauqua, Erie,
17 Genesee, Jefferson, Livingston, Monroe, Niagara, Ontario, Orleans, Oswe-
18 go, Schuyler, Seneca, Steuben, Wayne, Wyoming and Yates counties;

19 [h.] G. Notwithstanding the other provisions of this subdivision, when
20 and if the Central regional off-track betting corporation is estab-
21 lished, it shall include, in addition to the counties listed in para-
22 graph [f] E, the following: Cayuga, Chenango, Cortland, Franklin,
23 Herkimer, Jefferson, Madison, Oneida, Oswego, Otsego and Tompkins coun-
24 ties.

25 S 3. Notwithstanding any other provisions of law, a region comprised
26 of any counties of the city of New York, shall recognize the collective
27 bargaining representatives of the employees of the New York city off-
28 track betting corporation as of December 6, 2010. To the extent that
29 such region opens facilities within the five boroughs of the city of New
30 York to engage in off-track betting or the support thereof, such region
31 shall recall previous employees, in accordance with the terms of section
32 80 of the civil service law, to positions created by the opening of
33 off-track betting and support facilities. Such region shall further
34 assume the collective bargaining agreements that are in place as of
35 December 6, 2010, and shall reimburse the New York city health insurance
36 plan and the New York city employees retirement system for current
37 participants and for the post-employment benefits of current and future
38 retirees of the New York city off-track betting corporation. Nothing
39 contained in this act shall be construed to diminish the rights of
40 employees pursuant to paragraph (e) of section 209-a of the civil
41 service law.

42 S 4. This act shall take effect immediately.