

7844--A

Cal. No. 319

2015-2016 Regular Sessions

I N   A S S E M B L Y

May 28, 2015

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Introduced by M. of A. MAGEE -- read once and referred to the Committee on Racing and Wagering -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the state finance law, in relation to the sharing of revenue from gaming devices located within the county of Madison

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

1     Section 1. Subdivision 3 of section 99-h of the state finance law, as  
2 amended by section 7 of chapter 174 of the laws of 2013, is amended to  
3 read as follows:  
4     3. Moneys of the account, following the segregation of appropriations  
5 enacted by the legislature, shall be available for purposes including  
6 but not limited to: (a) reimbursements or payments to municipal govern-  
7 ments that host tribal casinos pursuant to a tribal-state compact for  
8 costs incurred in connection with services provided to such casinos or  
9 arising as a result thereof, for economic development opportunities and  
10 job expansion programs authorized by the executive law; provided, howev-  
11 er, that for any gaming facility located in the city of Buffalo, the  
12 city of Buffalo shall receive a minimum of twenty-five percent of the  
13 negotiated percentage of the net drop from electronic gaming devices the  
14 state receives pursuant to the compact, and provided further that for  
15 any gaming facility located in the city of Niagara Falls, county of  
16 Niagara a minimum of twenty-five percent of the negotiated percentage of  
17 the net drop from electronic gaming devices the state receives pursuant  
18 to the compact shall be distributed in accordance with subdivision four  
19 of this section, and provided further that for any gaming facility  
20 located in the county or counties of Cattaraugus, Chautauqua or Allega-  
21 ny, the municipal governments of the state hosting the facility shall  
22 collectively receive a minimum of twenty-five percent of the negotiated  
23 percentage of the net drop from electronic gaming devices the state  
24 receives pursuant to the compact; and provided further that pursuant to

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

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chapter five hundred ninety of the laws of two thousand four, a minimum of twenty-five percent of the revenues received by the state pursuant to the state's compact with the St. Regis Mohawk tribe shall be made available to the counties of Franklin and St. Lawrence, and affected towns in such counties. Each such county and its affected towns shall receive fifty percent of the moneys made available by the state; and provided further that the state shall annually make twenty-five percent of the negotiated percentage of the net drop from all gaming devices the state actually receives pursuant to the Oneida Settlement Agreement confirmed by section eleven of the executive law as available to the county of Oneida, TWENTY-FIVE PERCENT OF THE NEGOTIATED PERCENTAGE OF THE NET DROP FROM ALL GAMING DEVICES LOCATED WITHIN THE COUNTY OF MADISON FOR WHICH THE STATE ACTUALLY RECEIVES PAYMENT and a sum of three and one-half million dollars to the county of Madison. Additionally, the state shall distribute for a period of nineteen and one-quarter years, an additional annual sum of two and one-half million dollars to the county of Oneida. Additionally, the state shall distribute the one-time eleven million dollar payment received by the state pursuant to such agreement with the Oneida Nation of New York to the county of Madison by wire transfer upon receipt of such payment by the state; and (b) support and services of treatment programs for persons suffering from gambling addictions. Moneys not segregated for such purposes shall be transferred to the general fund for the support of government during the fiscal year in which they are received.

S 2. Subdivision 3 of section 99-h of the state finance law, as amended by section 7-a of chapter 174 of the laws of 2013, is amended to read as follows:

3. Moneys of the account, following appropriation by the legislature, shall be available for purposes including but not limited to: (a) reimbursements or payments to municipal governments that host tribal casinos pursuant to a tribal-state compact for costs incurred in connection with services provided to such casinos or arising as a result thereof, for economic development opportunities and job expansion programs authorized by the executive law; provided, however, that for any gaming facility located in the city of Buffalo, the city of Buffalo shall receive a minimum of twenty-five percent of the negotiated percentage of the net drop from electronic gaming devices the state receives pursuant to the compact, and provided further that for any gaming facility located in the city of Niagara Falls, county of Niagara a minimum of twenty-five percent of the negotiated percentage of the net drop from electronic gaming devices the state receives pursuant to the compact shall be distributed in accordance with subdivision four of this section, and provided further that for any gaming facility located in the county or counties of Cattaraugus, Chautauqua or Allegany, the municipal governments of the state hosting the facility shall collectively receive a minimum of twenty-five percent of the negotiated percentage of the net drop from electronic gaming devices the state receives pursuant to the compact; and provided further that pursuant to chapter five hundred ninety of the laws of two thousand four, a minimum of twenty-five percent of the revenues received by the state pursuant to the state's compact with the St. Regis Mohawk tribe shall be made available to the counties of Franklin and St. Lawrence, and affected towns in such counties. Each such county and its affected towns shall receive fifty percent of the moneys made available by the state; and provided further that the state shall annually make twenty-five percent of the negotiated percentage of the net drop from all gaming devices the state

1 actually receives pursuant to the Oneida Settlement Agreement as  
2 confirmed by section eleven of the executive law as available to the  
3 county of Oneida, TWENTY-FIVE PERCENT OF THE NEGOTIATED PERCENTAGE OF  
4 THE NET DROP FROM ALL GAMING DEVICES LOCATED WITHIN THE COUNTY OF MADI-  
5 SON FOR WHICH THE STATE ACTUALLY RECEIVES PAYMENT and a sum of three and  
6 one-half million dollars to the county of Madison. Additionally, the  
7 state shall distribute for a period of nineteen and one-quarter years,  
8 an additional annual sum of two and one-half million dollars to the  
9 county of Oneida. Additionally, the state shall distribute the one-time  
10 eleven million dollar payment received by the state pursuant to such  
11 agreement with the Oneida Nation of New York to the county of Madison by  
12 wire transfer upon receipt of such payment by the state; and (b) support  
13 and services of treatment programs for persons suffering from gambling  
14 addictions. Moneys not appropriated for such purposes shall be trans-  
15 ferred to the general fund for the support of government during the  
16 fiscal year in which they are received.

17 S 3. Subdivision 3 of section 99-h of the state finance law, as  
18 amended by section 8 of chapter 174 of the laws of 2013, is amended to  
19 read as follows:

20 3. Moneys of the account, following the segregation of appropriations  
21 enacted by the legislature, shall be available for purposes including  
22 but not limited to: (a) reimbursements or payments to municipal govern-  
23 ments that host tribal casinos pursuant to a tribal-state compact for  
24 costs incurred in connection with services provided to such casinos or  
25 arising as a result thereof, for economic development opportunities and  
26 job expansion programs authorized by the executive law; provided, howev-  
27 er, that for any gaming facility located in the county of Erie or  
28 Niagara, the municipal governments hosting the facility shall collec-  
29 tively receive a minimum of twenty-five percent of the negotiated  
30 percentage of the net drop from electronic gaming devices the state  
31 receives pursuant to the compact and provided further that for any  
32 gaming facility located in the county or counties of Cattaraugus, Chau-  
33 tauqua or Allegany, the municipal governments of the state hosting the  
34 facility shall collectively receive a minimum of twenty-five percent of  
35 the negotiated percentage of the net drop from electronic gaming devices  
36 the state receives pursuant to the compact; and provided further that  
37 pursuant to chapter five hundred ninety of the laws of two thousand  
38 four, a minimum of twenty-five percent of the revenues received by the  
39 state pursuant to the state's compact with the St. Regis Mohawk tribe  
40 shall be made available to the counties of Franklin and St. Lawrence,  
41 and affected towns in such counties. Each such county and its affected  
42 towns shall receive fifty percent of the moneys made available by the  
43 state; and provided further that the state shall annually make twenty-  
44 five percent of the negotiated percentage of the net drop from all  
45 gaming devices the state actually receives pursuant to the Oneida  
46 Settlement Agreement confirmed by section eleven of the executive law  
47 available to the county of Oneida, TWENTY-FIVE PERCENT OF THE NEGOTIATED  
48 PERCENTAGE OF THE NET DROP FROM ALL GAMING DEVICES LOCATED WITHIN THE  
49 COUNTY OF MADISON FOR WHICH THE STATE ACTUALLY RECEIVES PAYMENT and a  
50 sum of three and one-half million dollars to the county of Madison.  
51 Additionally, the state shall distribute, for a period of nineteen and  
52 one-quarter years, an additional annual sum of two and one-half million  
53 dollars to the county of Oneida. Additionally, the state shall distrib-  
54 ute the one-time eleven million dollar payment actually received by the  
55 state pursuant to the Oneida Settlement Agreement to the county of Madi-  
56 son by wire transfer upon receipt of such payment by the state; and (b)

1 support and services of treatment programs for persons suffering from  
2 gambling addictions. Moneys not segregated for such purposes shall be  
3 transferred to the general fund for the support of government during the  
4 fiscal year in which they are received.

5 S 4. This act shall take effect immediately and shall be deemed in  
6 full force and effect on the date the state actually receives payment  
7 from gaming devices located in Madison county, provided that:

8 1. the amendments to subdivision 3 of section 99-h of the state  
9 finance law made by section one of this act shall be subject to the  
10 expiration and reversion of such subdivision as provided in section 3 of  
11 part W of chapter 60 of the laws of 2011, as amended when upon such date  
12 the provisions of section two of this act shall take effect; and

13 2. the amendments to subdivision 3 of section 99-h of the state  
14 finance law made by section two of this act shall be subject to the  
15 expiration and reversion of such section as provided in section 2 of  
16 chapter 747 of the laws of 2006, as amended when upon such date the  
17 provisions of section three of this act shall take effect.