S T A T E O F N E W Y O R K

11181

I N A S S E M B L Y

May 24, 2010

Introduced by M. of A. PRETLOW -- (at request of the Governor) -- read once and referred to the Committee on Racing and Wagering

AN ACT making appropriations for the support of government

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

Section 1. Legislative intent. The legislature hereby finds and declares that the enactment of these appropriations provides sufficient authority to the comptroller for the purposes of making payments for the purposes described herein.

NEW YORK STATE URBAN DEVELOPMENT CORPORATION
STATE OPERATIONS AND AID TO LOCALITIES

ECONOMIC DEVELOPMENT PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of a working capital loan to the New York Racing Association, Inc. for expenses at Aqueduct, Belmont and Saratoga racetracks. Such moneys shall be repaid by the New York Racing Association, Inc. by the earlier of March 31, 2011 or 30 days after the execution of a memorandum of understanding with the operator of a video lottery facility at Aqueduct racetrack pursuant to subdivision e of section 1612 of the tax law.

Notwithstanding any other law to the contrary, in the event that the New York Racing Association does not repay such moneys by the earlier of March 31, 2011 or 30 days after the execution of a memorandum of understanding with the operator of a video lottery facility at Aqueduct racetrack pursuant to subdivision e of section 1612 of the tax law, the division of the

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

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lottery shall repay such moneys, in accordance with a plan approved by the director of the division of the Budget, from portions of the vendor fee that would otherwise be due on or after that date to the New York Racing Association, Inc. pursuant to paragraphs 3 and 4 of subdivision f of section 1612 of the tax law on account of video lottery revenues from a video lottery facility at Aqueduct racetrack. The division of lottery shall report upon any such approved repayment plan, including information detailing the progress of repayment of loan liabilities, to the governor, the temporary president of the senate, and the speaker of the assembly quarterly until such loan is fully repaid
..... 25,000,000

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

ECONOMIC DEVELOPMENT (CCP)

Miscellaneous Capital Projects Fund - 387
New York Racing Account

The appropriation made by chapter 18, section 104, of the laws of 2008, is hereby amended and reappropriated to read:

For additional services and expenses related to payments for capital works or purposes, including, but not limited to, costs for the design, acquisition, construction and equipment of such structures as may be necessary to properly house video lottery terminal gaming at Aqueduct racetrack including, but not limited to, the costs of property acquisition, studies, appraisals, surveys, testing, environmental impact statements, infrastructure, facility design, construction and equipment, cost of leasing space, professional fees and costs of issuance, as authorized pursuant to a chapter of the laws of 2008. Provided, however, that these funds may be suballocated or transferred to any department, agency, or public authority
(91AQ0809) ... [250,000,000] 225,000,000 .....
..... (re. $225,000,000)

CONTINGENT AND OTHER APPROPRIATIONS

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

CAPITAL PROJECTS

ECONOMIC DEVELOPMENT (CCP)

Miscellaneous Capital Projects Fund - 387
New York Racing Account

Notwithstanding any inconsistent provision of law, the following appropriation is hereby made to the New York state urban development corporation for services and

expenses related to payments for capital works or purposes, including, but not limited to, costs for the design, acquisition, construction and equipment of such structures as may be necessary to properly house video lottery terminal gaming at Aqueduct racetrack including, but not limited to, the costs of property acquisition, studies, appraisals, surveys, testing, environmental impact statements, infrastructure, facility design, construction and equipment, cost of leasing space, professional fees and costs of issuance, as authorized pursuant to chapter 18 of the laws of 2008, as amended by chapter 140 of the laws of 2008. No moneys of the state in the state treasury or any of its funds shall be expended from this appropriation, and no state-supported debt shall be issued to finance the purposes of this appropriation, until a working capital loan, as authorized pursuant to a chapter of the laws of 2010, is repaid to the state's general fund by the earlier of March 31, 2011 or 30 days after the execution of a memorandum of understanding with the operator of a video lottery facility at Aqueduct racetrack pursuant to subdivision e of section 1612 of the tax law, or, a repayment plan is approved by the director of the division of the Budget providing for such repayment from portions of the vendor fee that would otherwise be due on or after that date to the New York Racing Association, Inc. pursuant to paragraphs 3 and 4 of subdivision f of section 1612 of the tax law on account of video lottery revenues from a video lottery facility at Aqueduct racetrack. The division of lottery shall report upon any such approved repayment plan, including information detailing the progress of repayment of loan liabilities, to the governor, the temporary president of the senate, and the speaker of the assembly quarterly until such loan is fully repaid. These funds may be suballocated or transferred to any department, agency, or public authority 25,000,000

S 2. This act shall take effect immediately.