

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:

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

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

7 ECONOMIC DEVELOPMENT PROGRAM

8 General Fund / Aid to Localities
9 Local Assistance Account - 001

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

19 Notwithstanding any other law to the contrary, in the
20 event that the New York Racing Association does not
21 repay such moneys by the earlier of March 31, 2011 or
22 30 days after the execution of a memorandum of under-
23 standing with the operator of a video lottery facility
24 at Aqueduct racetrack pursuant to subdivision e of
25 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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1 lottery shall repay such moneys, in accordance with a
 2 plan approved by the director of the division of the
 3 Budget, from portions of the vendor fee that would
 4 otherwise be due on or after that date to the New York
 5 Racing Association, Inc. pursuant to paragraphs 3 and
 6 4 of subdivision f of section 1612 of the tax law on
 7 account of video lottery revenues from a video lottery
 8 facility at Aqueduct racetrack. The division of
 9 lottery shall report upon any such approved repayment
 10 plan, including information detailing the progress of
 11 repayment of loan liabilities, to the governor, the
 12 temporary president of the senate, and the speaker of
 13 the assembly quarterly until such loan is fully repaid
 14 25,000,000
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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, envi-
 ronmental 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 suballo-
 cated 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

1 expenses related to payments for capital works or
2 purposes, including, but not limited to, costs for the
3 design, acquisition, construction and equipment of such
4 structures as may be necessary to properly house video
5 lottery terminal gaming at Aqueduct racetrack including,
6 but not limited to, the costs of property acquisition,
7 studies, appraisals, surveys, testing, environmental
8 impact statements, infrastructure, facility design,
9 construction and equipment, cost of leasing space,
10 professional fees and costs of issuance, as authorized
11 pursuant to chapter 18 of the laws of 2008, as amended
12 by chapter 140 of the laws of 2008. No moneys of the
13 state in the state treasury or any of its funds shall be
14 expended from this appropriation, and no state-supported
15 debt shall be issued to finance the purposes of this
16 appropriation, until a working capital loan, as author-
17 ized pursuant to a chapter of the laws of 2010, is
18 repaid to the state's general fund by the earlier of
19 March 31, 2011 or 30 days after the execution of a memo-
20 randum of understanding with the operator of a video
21 lottery facility at Aqueduct racetrack pursuant to
22 subdivision e of section 1612 of the tax law, or, a
23 repayment plan is approved by the director of the divi-
24 sion of the Budget providing for such repayment from
25 portions of the vendor fee that would otherwise be due
26 on or after that date to the New York Racing Associ-
27 ation, Inc. pursuant to paragraphs 3 and 4 of subdivi-
28 sion f of section 1612 of the tax law on account of
29 video lottery revenues from a video lottery facility at
30 Aqueduct racetrack. The division of lottery shall report
31 upon any such approved repayment plan, including infor-
32 mation detailing the progress of repayment of loan
33 liabilities, to the governor, the temporary president of
34 the senate, and the speaker of the assembly quarterly
35 until such loan is fully repaid. These funds may be
36 suballocated or transferred to any department, agency,
37 or public authority 25,000,000
38 -----

39 S 2. This act shall take effect immediately.