

6313

2009-2010 Regular Sessions

I N S E N A T E

November 23, 2009

Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to abolishing the New York city and Nassau county regional off-track betting corporations and establishing a reconstituted Metropolitan OTB

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

1 Section 1. Subdivisions 1 and 3 of section 502 of the racing, pari-mu-
2 tuel wagering and breeding law, subdivision 1 as amended by chapter 710
3 of the laws of 1990, are amended to read as follows:
4 1. A regional off-track betting corporation is hereby established for
5 each region, except the New York city [region] AND NASSAU COUNTY REGIONS
6 for which [the New York city] A RECONSTITUTED NEW YORK CITY-NASSAU COUN-
7 TY off-track betting corporation (HEREINAFTER, THE METROPOLITAN OTB), IS
8 HEREBY established pursuant to and subject to article six of this chap-
9 ter AND shall constitute the regional corporation and such article six
10 shall govern such [New York city] RECONSTITUTED NEW YORK CITY-NASSAU
11 COUNTY off-track betting corporation. Each regional corporation shall be
12 a body corporate and politic constituting a public benefit corporation.
13 Each corporation shall be administered by a board of directors consist-
14 ing of two members from each participating county containing a city of
15 over one hundred fifty thousand in population, according to the last
16 federal census, and one member from each other participating county.
17 Notwithstanding any other provision of law to the contrary, the members
18 shall be appointed by the county governing body, and may, at the
19 discretion of such governing body of counties which have a population of
20 less than two hundred thousand, include sitting members of such govern-
21 ing body. A member of a governing body who is appointed a director after
22 July first, nineteen hundred ninety shall not be compensated by the
23 regional corporation; provided, however, that the mayor of a city of

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

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1 over one hundred fifty thousand that has elected to participate in the
2 management of a corporation pursuant to subdivision two of this section
3 shall, with the approval of the city's legislative body, appoint one of
4 the members to which the county containing such city is entitled. In the
5 case of the corporation established for the Suffolk region [and Nassau
6 region], the board of directors of each corporation shall consist of
7 three members appointed by the governing body of [each] SUCH county, not
8 more than two of whom shall be members of the same political party. IN
9 THE CASE OF THE METROPOLITAN OTB, THE BOARD OF DIRECTORS SHALL CONSIST
10 OF FIVE MEMBERS, TWO APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE,
11 TWO APPOINTED BY THE SPEAKER OF THE ASSEMBLY, AND ONE APPOINTED BY THE
12 GOVERNOR, NOT MORE THAN THREE OF WHOM SHALL BE MEMBERS OF THE SAME POLI-
13 TICAL PARTY. Each director shall serve at the pleasure of the governing
14 body or mayor appointing him, as the case may be. A chairman shall be
15 elected by the members to serve a term of one year.

16 3. Upon the passage of enabling legislation by the governing body of
17 not less than three counties within a region representing not less than
18 thirty percent of the population of such region, as determined by the
19 last federal census, or in the case of the Suffolk region, upon the
20 passage of enabling legislation by the governing body of Suffolk county,
21 or in the case of the [Nassau region] METROPOLITAN OTB, upon the
22 [passage of enabling legislation by the governing body of Nassau county]
23 ENACTMENT INTO STATE LAW OF ENABLING LEGISLATION, or in the case of the
24 Mid-Hudson region upon the passage of enabling legislation by the
25 governing body of the county of Westchester and of the governing body of
26 one other county in such region, and following the appointment of
27 members of the board of directors, such corporation shall file with the
28 secretary of state and with the state racing and wagering board a
29 certificate setting forth:

30 a. The date of passage of the enabling legislation;

31 b. The name of the agency, which shall be the name of the region
32 followed by the words "regional off-track betting corporation"; and

33 c. The names of the members of the board of directors and the chair-
34 man.

35 S 2. This act shall take effect immediately.