

7058

2015-2016 Regular Sessions

I N   A S S E M B L Y

April 22, 2015

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Introduced by M. of A. ROSENTHAL -- read once and referred to the  
Committee on Alcoholism and Drug Abuse

AN ACT to amend the mental hygiene law, in relation to establishing the  
problem gambling advisory council

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

1     Section 1. The mental hygiene law is amended by adding a new section  
2     25.04 to read as follows:

3     S 25.04 PROBLEM GAMBLING ADVISORY COUNCIL.

4     (A) CREATION AND PURPOSE. THE PROBLEM GAMBLING ADVISORY COUNCIL  
5     (HEREINAFTER THE "COUNCIL") IS HEREBY ESTABLISHED. THE PURPOSE OF THE  
6     COUNCIL IS TO MAKE FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND  
7     LEGISLATURE ON HOW TO PREVENT AND TREAT PROBLEM GAMBLING IN THE STATE OF  
8     NEW YORK.

9     (B) COMPOSITION. THE COUNCIL SHALL CONSIST OF 10 MEMBERS INCLUDING,  
10    THE COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE  
11    SERVICES, THE CHAIR OF THE GAMING COMMISSION, THREE MEMBERS WHO ARE  
12    REPRESENTATIVE OF COMMUNITY-BASED BEHAVIORAL HEALTH SERVICES PROVIDERS,  
13    TWO MEMBERS APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, TWO  
14    MEMBERS APPOINTED BY THE SPEAKER OF THE ASSEMBLY, AND ONE MEMBER  
15    APPOINTED BY THE GOVERNOR.

16    (C) DUTIES OF THE COUNCIL. THE COUNCIL SHALL MEET AS FREQUENTLY AS  
17    NECESSARY, BUT NOT LESS THAN TWO TIMES PER YEAR. MEETINGS SHALL BE HELD  
18    AT LOCATIONS DETERMINED BY THE COUNCIL. ALL MEETINGS OF THE COUNCIL  
19    SHALL BE SUBJECT TO THE OPEN MEETINGS LAW. THE COUNCIL SHALL:

20    1. DEVELOP AND RECOMMEND STRATEGIES TO ENSURE AVAILABILITY AND ACCESS  
21    TO PROBLEM GAMBLING PROGRAMS AND RESOURCES, INCLUDING INFORMATION AND  
22    RESOURCES REGARDING PREVENTION OF PROBLEM GAMBLING, FOR INDIVIDUALS  
23    THROUGHOUT THE STATE;

24    2. CONSULT WITH INDIVIDUALS OR ORGANIZATIONS WITH EXPERIENCE IN THE  
25    FIELD OF PROBLEM GAMBLING SERVICES ON FUNDING AND POLICY RECOMMENDA-

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

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1 TIONS, INCLUDING THE AVAILABILITY OF PROBLEM GAMBLING SERVICES, THE  
2 LOCATION OF SUCH SERVICES, AND THE NEED FOR SUCH SERVICES;

3 3. CREATE STRATEGIES TO INCREASE PUBLIC AWARENESS OF PROBLEM GAMBLING  
4 AND THE AVAILABILITY OF PROBLEM GAMBLING RESOURCES;

5 4. RECOMMEND ALLOCATIONS OF MACHINE AND TABLE FEES COLLECTED FROM A  
6 GAMING LICENSEE PURSUANT TO SECTION THIRTEEN HUNDRED FORTY-EIGHT OF THE  
7 RACING, PARI-MUTUEL WAGERING AND BREEDING LAW AND DISTRIBUTED PURSUANT  
8 TO SECTION NINETY-SEVEN-NNNN OF THE STATE FINANCE LAW TO EFFECTUATE THE  
9 RECOMMENDATIONS AND STRATEGIES DEVELOPED PURSUANT TO PARAGRAPHS ONE, TWO  
10 AND THREE OF THIS SUBDIVISION; AND

11 5. DEVELOP AN ANNUAL REPORT TO BE PROVIDED TO THE GOVERNOR AND LEGIS-  
12 LATURE CONTAINING ITS FINDINGS AND RECOMMENDATIONS WITH REGARD TO PROB-  
13 LEM GAMBLING, INCLUDING PROGRAMS, RESOURCES, AND SERVICES THROUGHOUT THE  
14 STATE. THE ANNUAL REPORT SHALL BE DUE NO LATER THAN OCTOBER FIRST OF  
15 EACH YEAR, WITH THE FIRST REPORT PROVIDED NO LATER THAN OCTOBER FIRST,  
16 TWO THOUSAND SIXTEEN.

17 (D) TERM. APPOINTED MEMBERS OF THE COUNCIL SHALL SERVE FOR A TERM OF  
18 FOUR YEARS AND CONTINUE TO SERVE UNTIL THEIR SUCCESSOR IS APPOINTED.  
19 EACH MEMBER OF THE COUNCIL SHALL BE ENTITLED TO DESIGNATE IN WRITING A  
20 REPRESENTATIVE TO ATTEND MEETINGS IN HIS OR HER PLACE AND TO VOTE OR  
21 OTHERWISE ACT ON HIS OR HER BEHALF IN HIS OR HER ABSENCE. A MEMBER  
22 APPOINTED TO FILL A VACANCY SHALL SERVE THE REMAINDER OF THE TERM OF THE  
23 MEMBER HE OR SHE IS APPOINTED TO SUCCEED. THE MEMBERS OF THE COUNCIL  
24 SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES BUT SHALL BE REIMBURSED  
25 FOR THEIR EXPENSES ACTUALLY INCURRED IN THE PERFORMANCE OF THEIR DUTIES  
26 HEREUNDER. THE COUNCIL SHALL SELECT, BY A MAJORITY VOTE, MEMBERS TO  
27 SERVE AS A CHAIR AND AS A SECRETARY.

28 (E) SHARING OF INFORMATION. THE COUNCIL MAY REQUEST, AND SHALL  
29 RECEIVE, INFORMATION FROM ANY STATE OR LOCAL GOVERNMENTAL AGENCY NECES-  
30 SARY TO COMPLETE ITS DUTIES PURSUANT TO THIS SECTION, SO LONG AS SUCH  
31 INFORMATION DOES NOT CONTAIN ANY PERSONALLY IDENTIFYING INFORMATION AND  
32 NOT OTHERWISE PROTECTED BY STATE OR FEDERAL LAW.

33 S 2. This act shall take effect April 1, 2016.