

5670--A

2015-2016 Regular Sessions

I N S E N A T E

May 26, 2015

Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

LBD11339-03-6

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

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

30 3. Moneys of the account, following appropriation by the legislature,
31 shall be available for purposes including but not limited to: (a)
32 reimbursements or payments to municipal governments that host tribal
33 casinos pursuant to a tribal-state compact for costs incurred in
34 connection with services provided to such casinos or arising as a result
35 thereof, for economic development opportunities and job expansion
36 programs authorized by the executive law; provided, however, that for
37 any gaming facility located in the city of Buffalo, the city of Buffalo
38 shall receive a minimum of twenty-five percent of the negotiated
39 percentage of the net drop from electronic gaming devices the state
40 receives pursuant to the compact, and provided further that for any
41 gaming facility located in the city of Niagara Falls, county of Niagara
42 a minimum of twenty-five percent of the negotiated percentage of the net
43 drop from electronic gaming devices the state receives pursuant to the
44 compact shall be distributed in accordance with subdivision four of this
45 section, and provided further that for any gaming facility located in
46 the county or counties of Cattaraugus, Chautauqua or Allegany, the
47 municipal governments of the state hosting the facility shall collec-
48 tively receive a minimum of twenty-five percent of the negotiated
49 percentage of the net drop from electronic gaming devices the state
50 receives pursuant to the compact; and provided further that pursuant to
51 chapter five hundred ninety of the laws of two thousand four, a minimum
52 of twenty-five percent of the revenues received by the state pursuant to
53 the state's compact with the St. Regis Mohawk tribe shall be made avail-
54 able to the counties of Franklin and St. Lawrence, and affected towns in
55 such counties. Each such county and its affected towns shall receive
56 fifty percent of the moneys made available by the state; and provided

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

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

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

1 state pursuant to the Oneida Settlement Agreement to the county of Madi-
2 son by wire transfer upon receipt of such payment by the state; and (b)
3 support and services of treatment programs for persons suffering from
4 gambling addictions. Moneys not segregated for such purposes shall be
5 transferred to the general fund for the support of government during the
6 fiscal year in which they are received.

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

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

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