

# STATE OF NEW YORK

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5361

2017-2018 Regular Sessions

## IN SENATE

March 23, 2017

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

AN ACT to amend the state finance law, in relation to the tribal-state compact revenue account; and to amend chapter 747 of the laws of 2006, amending the state finance law relating to disbursements from the tribal-state compact revenue account to certain municipalities, in relation to extending the repeal of such provisions upon expiration thereof

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~~] seventy-five  
13 percent of the negotiated percentage of the net drop from electronic  
14 gaming devices the state receives pursuant to the compact, and provided  
15 further that for any gaming facility located in the city of Niagara  
16 Falls, county of Niagara a minimum of twenty-five percent of the negoti-  
17 ated percentage of the net drop from electronic gaming devices the state  
18 receives pursuant to the compact shall be distributed in accordance with  
19 subdivision four of this section, and provided further that for any  
20 gaming facility located in the county or counties of Cattaraugus, Chau-  
21 tauqua or Allegany, the municipal governments of the state hosting the

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

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

26 § 2. Subdivision 3 of section 99-h of the state finance law, as  
27 amended by section 8 of chapter 174 of the laws of 2013, is amended to  
28 read as follows:

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

1 five percent of the negotiated percentage of the net drop from all  
2 gaming devices the state actually receives pursuant to the Oneida  
3 Settlement Agreement confirmed by section eleven of the executive law  
4 available to the county of Oneida, and a sum of three and one-half  
5 million dollars to the county of Madison. Additionally, the state shall  
6 distribute, for a period of nineteen and one-quarter years, an addi-  
7 tional annual sum of two and one-half million dollars to the county of  
8 Oneida. Additionally, the state shall distribute the one-time eleven  
9 million dollar payment actually received by the state pursuant to the  
10 Oneida Settlement Agreement to the county of Madison by wire transfer  
11 upon receipt of such payment by the state; and (b) support and services  
12 of treatment programs for persons suffering from gambling addictions.  
13 Moneys not segregated for such purposes shall be transferred to the  
14 general fund for the support of government during the fiscal year in  
15 which they are received.

16 § 3. Section 2 of chapter 747 of the laws of 2006, amending the state  
17 finance law relating to disbursements from the tribal-state compact  
18 revenue account to certain municipalities, as amended by section 1 of  
19 part R of chapter 57 of the laws of 2016, is amended to read as follows:

20 § 2. This act shall take effect immediately, and shall expire and be  
21 deemed repealed December 31, ~~2023~~ 2026.

22 § 4. This act shall take effect immediately, provided, however, the  
23 amendments to subdivision 3 of section 99-h of the state finance law  
24 made by section one of this act shall be subject to the expiration and  
25 reversion of such section pursuant to section 2 of chapter 747 of the  
26 laws of 2006, as amended, when upon such date the provisions of section  
27 two of this act shall take effect.