

# STATE OF NEW YORK

5044

2017-2018 Regular Sessions

## IN ASSEMBLY

February 6, 2017

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Racing and Wagering

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  
23 percentage of the net drop from electronic gaming devices the state  
24 receives pursuant to the compact; and provided further that pursuant to  
25 chapter five hundred ninety of the laws of two thousand four, a minimum

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

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

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

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

1 sum of three and one-half million dollars to the county of Madison.  
2 Additionally, the state shall distribute, for a period of nineteen and  
3 one-quarter years, an additional annual sum of two and one-half million  
4 dollars to the county of Oneida. Additionally, the state shall distrib-  
5 ute the one-time eleven million dollar payment actually received by the  
6 state pursuant to the Oneida Settlement Agreement to the county of Madi-  
7 son by wire transfer upon receipt of such payment by the state; and (b)  
8 support and services of treatment programs for persons suffering from  
9 gambling addictions. Moneys not segregated for such purposes shall be  
10 transferred to the general fund for the support of government during the  
11 fiscal year in which they are received.

12 § 3. This act shall take effect immediately and shall be deemed in  
13 full force and effect on the date the state actually receives payment  
14 from gaming devices located in Madison county, provided that the amend-  
15 ments to subdivision 3 of section 99-h of the state finance law made by  
16 section one of this act shall be subject to the expiration and reversion  
17 of such section as provided in section 2 of chapter 747 of the laws of  
18 2006, as amended when upon such date the provisions of section two of  
19 this act shall take effect.