

STATE OF NEW YORK

1532

2019-2020 Regular Sessions

IN SENATE

January 15, 2019

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 the tribal-state compact revenue account, 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
22 facility shall collectively receive a minimum of twenty-five percent of

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

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

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

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

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

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

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

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