

# STATE OF NEW YORK

---

4797

2023-2024 Regular Sessions

## IN ASSEMBLY

February 23, 2023

---

Introduced by M. of A. PRETLOW -- 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 counties of Oneida and 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

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

LBD09435-01-3

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

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

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

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

18 § 3. This act shall take effect June 1, 2023 and shall be deemed in  
19 full force and effect on the date the state actually receives payment  
20 from gaming devices located in Oneida county and Madison county,  
21 provided that the amendments to subdivision 3 of section 99-h of the  
22 state finance law made by section one of this act shall be subject to  
23 the expiration and reversion of such section as provided in section 2 of  
24 chapter 747 of the laws of 2006, as amended when upon such date the  
25 provisions of section two of this act shall take effect.