*** § 502-a. Special provisions with regard to the western regional off-track betting corporation.** 1. Notwithstanding any inconsistent provision of this article, on the effective date of this section the appointments of all members of the western regional off-track betting corporation appointed prior to the effective date of this section are deemed terminated, and each such vacant board position shall be replaced with the new appointments made pursuant to this section.

2. The western regional off-track betting corporation board of directors shall be composed of seventeen members, one each to represent each participating county within the western off-track betting region, and one each to represent the city of Rochester and the city of Buffalo. Each city representative shall be appointed by the mayor of the city such member represents, and each county representative shall be appointed by the county executive of the county such member represents; provided however, in the case of a county that does not have a county executive, such county's board of supervisors shall appoint such county's representative.

3. No action shall be taken by the corporation except pursuant to the favorable vote of fifty-one percent of the total authorized voting strength of the board of directors. The total authorized voting strength of the board of directors shall be the sum total of the votes specified in subdivisions four and seven of this section.

4. The representatives of each of the participating counties and cities shall each have the following number of votes: the representative of the county of Niagara shall have eight votes, the representative of the county of Chautauqua shall have five votes, the representative of the county of Oswego shall have four votes, the representative of the county of Steuben shall have three votes, the representative of the county of Wayne shall have three votes, the representative of the county of Cattaraugus shall have three votes, the representative of the county of Cayuga shall have three votes, the representative of the county of Livingston shall have two votes, the representative of the county of Genesee shall have two votes, the representative of the county of Wyoming shall have one vote, the representative of the county of Orleans

shall have one vote, the representative of the county of Seneca shall have one vote, the representative of the county of Schuyler shall have one vote, the representative of the county of Erie shall have twenty-four votes, the representative of the county of Monroe shall have twenty votes, the representative of the city of Buffalo shall have ten votes, and the representative of the city of Rochester shall have eight votes.

5. Each member of the corporation appointed pursuant to this section shall be appointed for a term of four years; provided however, that a member's term shall not be terminated except for good cause shown.

6. a. No person who has served as a board member or officer of the corporation shall within a period of five years after such person's termination of such service, regardless of the reason for termination, (i) be appointed, reappointed or qualified as a member of the corporation; (ii) appear or practice before such corporation or receive compensation for any services rendered by such former board member or officer on behalf of any person, firm, corporation or association in relation to any case, proceeding or application or other matter before such corporation; or (iii) receive compensation for any services on behalf of any person, firm, corporation or association to appear, practice or directly communicate with the board of directors to promote or oppose, directly or indirectly, the passage of resolutions by such board of directors. No person who has served as a board member or officer of the corporation shall after the termination of such service appear, practice, communicate or otherwise render services before such corporation, or the board of directors thereof, or receive compensation for any such services rendered by such person on behalf of any person, firm, corporation or other entity in relation to any case, proceeding, application or transaction with respect to which such person was directly concerned and in which such person personally participated during the period of such service, or which was under their active consideration.

b. No person who is appointed to be a member of the board of directors may attend or participate in any board meetings, including executive

sessions, until that person's application for a license has been approved by the commission.

7. Members representing a majority of the total voting strength of the board of directors then in office shall constitute a quorum for the transaction of any business or the exercise of any power of the corporation. Except as otherwise specified in this section, for the transaction of any business or the exercise of any power of the corporation, the corporation shall have the power to act by a majority vote of the total voting strength present at any meeting at which a quorum is in attendance.

8. The members of the board of directors shall elect from their membership, by a majority vote of the total voting strength of the board of directors, a chairperson. Such chairperson shall serve as chairperson for the duration of their term on the board of directors, or until such chairperson's resignation or upon removal by a majority vote of the total voting strength of the board of directors. In addition to such chairperson's voting strength possessed by virtue of such chairperson's representation of a municipality which is a member of the board, such chairperson shall also have one additional vote.

* NB Repealed May 3, 2037