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July 20, 2015

Mark Gearan, Chairman
New York Gaming Commission
P.O. Box 7500
Schenectady, New York 12301-7500

Dear Chairman Gearan:

There have been several notable developments recently in the course of the current casino application process that I believe should be addressed with the New York State Gaming Commission.

Despite numerous letters I have previously written to the Commission that have gone unanswered, I am once again expressing my concerns and opinions that I hope will be considered as the Commission takes steps to expand the state's gaming industry in the months ahead.

First, a state Appellate Division's July 10 ruling that the Town of Tyre did not properly assess the environmental impact of the proposed Lago Resort & Casino prompts me to question how thorough the casino location process truly is. I have warned in the past that the Commission should not rush the approval of any new licenses without first understanding the proposed facility's true economic and environmental impact, and this latest revelation through the courts suggests that the Commission's decisions may not be based on sufficiently accurate information.

If the casino location process is as thorough and as deliberative as it should be, then these complications should come to light before a license is ever recommended so that they can be considered and addressed by the Commission prior to the issuance of any related license.

Second, now that the July 6 deadline has passed to apply for new casino licenses in the Southern Tier, I would like to make several points for the Commission's consideration.

As the Commission now moves forward in its process to consider a new gaming facility in the Southern Tier, its deliberation should be conducted without again reopening the application process. Any potential casino developer was given a fair and equal opportunity to apply for a casino license and make their case for why their facility would help benefit the Southern Tier region economically. Deadlines matter, so the process, procedures and specific deadlines established by the Commission should be honored and respected toward any developer who has successfully fulfilled their obligations in this process.

Now is not the time for the Commission and its Gaming Facilities Location Board to be flippant toward its own deadlines in the event that any potential developer encounters complications in the licensing process.

The Commission should be consistent in how it decides new casino licenses: Although I would encourage the Commission to take a more cautious approach to approving licenses, if the Commission chooses to expeditiously handle these applications then it should do likewise in all regions that are under consideration.

As I have stated in my previous correspondence with the Commission, it is paramount that the application of any proposed gaming facilities throughout the state be evaluated on their potential to meet the objectives of the state's gaming expansion initiative. That means such a facility would create new, sustainable jobs and real economic impact, instead of simply chipping away at the development and stability that similar gaming facilities have brought to other nearby surrounding communities.

The State Legislature supported this gaming initiative in good faith to further enhance the economic outlook of communities throughout the state, but not at a zero-sum cost to other regions. I ask that you adhere to that clearly stated ideal.

Sincerely,

A handwritten signature in black ink that reads "Joseph A. Griffo". The signature is written in a cursive style with a large, prominent initial "J".

Joseph A. Griffo
Senator, 47th District