

**2017 Annual Report**  
**New York State Senate Committee on**  
**Racing, Gaming and Wagering**



**Senator John J. Bonacic, Chairman**

**Senator Joseph P. Addabbo, Jr., Ranking  
Minority Member**

January 3, 2018

Senator John Flanagan  
Temporary President and Majority Leader  
Room 330, State Capitol Building  
Albany, NY 12247

Dear Majority Leader Flanagan:

As Chairman of the New York State Senate Committee on Racing, Gaming and Wagering, I am pleased to present to you the Committee's 2017 Annual Report.

The attached report details the New York State Senate Racing, Gaming and Wagering Committee's activities over the past year. I would like to thank the Ranking Minority Member, Senator Joseph Addabbo, for his hard work and attentiveness to this committee. I would also like to thank the members of the committee for their participation and commitment.

I look forward to working with the members of New York State Senate's Committee on Racing, Gaming and Wagering to ensure that we continue to move in a positive, productive direction in 2018.

Sincerely,

A handwritten signature in black ink that reads "John J. Bonacic". The signature is written in a cursive style with a large, stylized initial "J".

JOHN J. BONACIC  
State Senator

## **Committee Members**

Senator John J. Bonacic, Chairman  
Senator Joseph P. Addabbo, Jr., Ranking Minority Member

Senator Fred Akshar  
Senator Phil Boyle  
Senator Leroy Comrie  
Senator Joseph A. Griffo  
Senator George Latimer  
Senator Kathleen A. Marchione  
Senator Michael H. Ranzenhofer  
Senator James Sanders, Jr.  
Senator David J. Valesky

## **Committee Staff**

Andrew Winchell, Committee Director  
David Previte, Majority Counsel  
Karen Smeaton, Senate Finance Committee  
Benjamin Eddy, Senate Finance Committee

## **Racing, Gaming and Wagering Budget Items for State Fiscal Year 2017-2018**

The Legislature adopted a budget of \$113.6 million for the Gaming Commission and transferred a re-appropriation of \$100,000 lined out for the Racing Fan Advisory Council from the Department of Economic Development Aid to Localities to the Gaming Commission State Operations.

The Legislature concurred with the Executive proposal for a one year extension of the deadline to receive approval for and to complete, capital projects through the Video Lottery Gaming vendor's capital award program.

The legislature concurred with the Executive proposal to extend for one year the Monticello Casino and Raceway video lottery distribution rates.

The Legislature concurred with the Executive proposal to extend for one year simulcasting tax rates.

The Legislature modified the Executive proposal to defer the cost of equine racehorse drug testing to the racing industry and authorize a facility other than Morrisville to perform equine racehorse drug testing.

The Legislature modified the Executive proposal to codify and modernize Charitable Gaming.

The Legislature modified the Executive proposal to re-privatize the New York Racing Association. The Legislature modified board appointments and required unanimous vote by the board to capture and withhold racing payments.

The Legislature added language authorizing the New York Jockey Injury Compensation Fund, Inc. for one additional year to use up to two million dollars from the purse reserve funds to cover workers compensation costs. In addition, the proposal authorizes the New York Jockey Injury Compensation Fund, Inc. to self-insure its workers' compensation obligations.

The Legislature denied the Executive's proposal to redistribute certain local gaming revenue sharing proceeds to the county of Madison.

**Summary of Racing, Gaming and Wagering Committee Action on Bills**

Total bills referred to the Committee in 2017	43
Total bills reported from Committee in 2017	26
Total number of bills reported by Committee that passed the Senate	18
Total number of bills reported by Committee that became law in 2017	4
Total number of bills reported by Committee that were vetoed in 2017	2

**Bills Reported by Racing, Gaming and Wagering Committee that were  
Enacted Into Law in 2017**

**Chapter 42 of the laws of 2017 – S.3760 Bonacic/ A.2820 Pretlow**

This bill extends, for one year, the provisions of Chapter 473 of the laws of 2010 relating to the operations of the New York State Thoroughbred Breeding and Development Fund, until October 28, 2018. These provisions include: the requirement that payments to the fund be made on a quarterly basis; the authorization that sixty-five percent (65%) of revenue can be allotted to breeder awards; the authorization that six percent (6%) of revenue can be used for promoting the breeding and raising of thoroughbred horses; and the authorization that five percent (5%) of revenue can be used for administrative costs.

**Chapter 111 of the laws of 2017 – S.4154 Bonacic/ A.4413 Pretlow**

This bill extends, for one year, the authorization for the New York State Thoroughbred Horsemen’s Association to receive an additional 1.0% of purse monies collected from the race meetings at Aqueduct, Saratoga, and Belmont racetracks, until August 31, 2018.

**Chapter 236 of the laws of 2017 – S.4068-A Marchione/ A.5983-A Woerner**

This bill raises from 1,100 to 1,900 the maximum number of video lottery terminal (VLT) machines a VLT facility may have and be able to access funds from their vendor capital award account to fund a capital project without having to provide matching funds for that capital investment.

**Chapter 284 of the laws of 2017 – S.999-A Bonacic/ A.4448-A Pretlow**

This bill provides flexibility to harness tracks to schedule and run races that are limited to horses wholly-owned by New York State residents.

**Bills Reported by Racing, Gaming and Wagering Committee that were  
Vetoed by the Governor in 2017**

**Veto 164 of 2017 – S.4287-A Bonacic/ A.5994-B Pretlow**

This bill would have provided that the additional commission paid to a video lottery terminal (VLT) facility, which is in the same region as a commercial casino, be paid quarterly within 15 days of the end of each quarter as opposed to annually within 60 days of the end of the year.

**Veto 221 of 2017 – S.3580 Gallivan/ A.6793 Pretlow**

This bill would have required the New York State Police to perform the background checks of commercial casino employees and provide that the cost of such a background check would be borne by the casino that employs them.

**Nominations Reported by Racing, Gaming and Wagering Committee that  
were confirmed by the Senate in 2017**

- 1) Robert Megna, Member of the New York State Gaming Commission
- 2) Gerald Skurnik, Member of the New York State Gaming Commission

**Public Hearings of the Racing, Gaming and Wagering Committee in 2017**

**To Consider the Future of the New York Racing Association**  
Van Buren Hearing Room A, Legislative Office Building, 2<sup>nd</sup> Floor, Albany, New  
York  
January 17, 2017  
12:00 P.M. – 2:00 P.M.

**ORDER OF TESTIMONY**

- 1) Jeffrey A. Cannizzo, Executive Director – NY Thoroughbred Breeders
- 2) Richard A. Violette, Jr., President – NY Thoroughbred Horsemen's  
Association
- 3) Todd L. Shimkus, President – Saratoga County Chamber of Commerce
- 4) Cynthia D. Hollowood, Board Member – Saratoga Race Course Community  
Advisory Board
- 5) Joe McMahon – McMahon of Saratoga Thoroughbreds