

2018 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**

December 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 2018 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.

Sincerely,

A handwritten signature in black ink that reads "John J. Bonacic". The signature is written in a cursive style with a large, sweeping 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 Kathleen A. Marchione
Senator Michael H. Ranzenhofer
Senator James Sanders, Jr.
Senator Toby Ann Stavisky
Senator David J. Valesky

Committee Staff

Andrew Winchell, Committee Director
Jonathan Federman, Majority Counsel
Benjamin Eddy, Senate Finance Committee

Racing, Gaming and Wagering Budget Items for State Fiscal Year 2018-2019

The Legislature adopted a budget of \$113.6 million for the Gaming Commission.

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

The Legislature concurred with the Executive proposal to eliminate an existing “hold harmless” transfer of revenue between the lottery fund and the commercial gaming fund.

The Legislature modified the Executive proposal to increase the amount of reserves authorized to be held by the New York Racing Association, Inc., authorize racing after sunset at Belmont Park and establishing a new drug testing advisory committee by removing the authorization for racing after sunset at Belmont Park and providing greater detail on the composition of the drug testing advisory committee.

The Legislature added language to continue to allow the New York Jockey Injury Compensation Fund, Inc. to use up to \$2 million in funding from the purse cushion account to pay for workers compensation coverage

The Legislature added language to allow the board of directors of a regional OTB corporation to determine whether to distribute profits to counties on a quarterly, bi-annual or annual basis;

The Legislature added language to provide 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 denied the Executive’s proposal to authorize the New York State Thoroughbred Breeding and Development Fund and the Agriculture and New York State Horse Breeding Development Fund to use revenue from the funds for the ongoing care of retired horses.

The Legislature denied the Executive’s proposal to place a cap on additional vendor commission paid to racetrack video lottery terminal facilities that are impacted by the opening of a casino in the same region.

Summary of Racing, Gaming and Wagering Committee Action on Bills

Total bills referred to the Committee in 2018	66
Total bills reported from Committee in 2018	24
Total number of bills reported by Committee that passed the Senate	9
Total number of bills reported by Committee that became law in 2018	2
Total number of bills reported by Committee that were vetoed in 2018	0

**Bills Reported by Racing, Gaming and Wagering Committee that were Enacted Into Law
in 2018**

Chapter 137 of the laws of 2018 – S.7602 Bonacic/ A.9687 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, 2019.

Chapter 341 of the laws of 2018 – S.7601 Bonacic/ A.9686 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, 2019. 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.

**Bills Reported by Racing, Gaming and Wagering Committee that were Vetoed by the
Governor in 2018**

None.

Public Hearings of the Racing, Gaming and Wagering Committee in 2018

To Consider the Potential for Sports Betting in New York State

Van Buren Hearing Room A, Legislative Office Building, 2nd Floor, Albany, New York

January 24, 2018

11:00 A.M. – 3:00 P.M.

Witness List in Speaking Order

Dan Spillane, Senior Vice President and Assistant General Counsel

National Basketball Association

PANEL

Christopher K. Kay,
CEO and President

*New York Racing
Association*

Joseph Appelbaum,
President

*New York Thoroughbred
Horsemen Association*

Jeffrey Cannizzo,
Executive Director

*New York Thoroughbred
Breeders, Inc*

PANEL

Andy Cunningham, Director of Integrity
Services - *Sportradar*

Tom Russell, General Counsel
Genius Sports

Joseph Asher, CEO
William Hill US

Scott Freeman, President/GM
Tioga Downs Casino Resort

Michael Kane, Executive Director
New York State Gaming Association

James Maney, Executive Director
New York Council on Problem Gambling