



NEW YORK STATE ASSEMBLY

ANNUAL

2012

REPORT



**Committee on
Racing and Wagering**
J. Gary Pretlow, Chairman

SHELDON SILVER, SPEAKER



J. Gary Pretlow
Assemblyman 87th District

**THE ASSEMBLY
STATE OF NEW YORK
ALBANY**

December 17, 2012

The Honorable Sheldon Silver
Speaker of the Assembly
Room 932- Legislative Office Building
Albany, NY 12248

Dear Speaker Silver:

As Chairman of the Assembly Standing Committee on Racing and Wagering, I am pleased to submit to you the Committee's 2012 Annual Report.

Several bills which were reported out of Committee in the 2012 Legislative Session were subsequently enacted into law. Among them was a law that increased the fundraising allowance for not-for-profit organizations as well as legislation which would continue to provide funding support for benevolent services such as medical benefits for backstretch employees of the thoroughbred racetracks. Other chapters signed into law this year included: the extension of certain provisions regarding the New York State Thoroughbred Breeding and Development Fund as well as measures which seek to increase the quality and quantity of stallions within New York State in order to boost New York agriculture as well as horse breeding and racing.

The Committee also advanced legislation which would have: authorized racetracks and off-track betting corporations to offer rebates on pari-mutuel wagers; enhanced consumer protection for purchasers of lottery tickets; established a task force on responsible gaming; and included knowledge of problem gambling as a possible requirement when evaluating potential members to serve on the New York State Gaming Commission.

Other noteworthy Committee action in 2012 included reporting a bill to extend the Catskill Off-Track Betting Region to include the counties that once were the New York City Off-Track Betting Corporation (NYCOTB), which closed in December 2010. This piece of legislation would offer numerous employment opportunities in New York City for those with off-track betting experience, a workforce that had previously been downsized due to the closing of NYCOTB. Lastly, the Committee acted on the first passage of a constitutional amendment to allow casino gambling in New York State. This constitutional amendment would allow up to seven casinos to be built in New York State.

I want to take this opportunity to thank the members of the Committee for their support of, and contribution to the efforts of the 2012 Legislative Session. With your continued leadership Speaker Silver, we look forward to developing new programs and initiatives for the 2013 Legislative Session.

Warm Personal Regards,

A handwritten signature in black ink that reads "James Gary Pretlow". The signature is written in a cursive, flowing style.

J. Gary Pretlow
Chairman
Assembly Racing and Wagering Committee

**2012 ANNUAL REPORT
OF THE
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON RACING AND WAGERING**

J. Gary Pretlow, Chairman

Committee Members

Majority

Margaret Markey
Aileen Gunther
Bob Reilly
Michael Miller
Micah Kellner
Rafael Espinal, Jr.
Phillip Goldfeder

Minority

Edward Ra
James Tedisco
Stephen Hawley

STAFF

Jennifer Best, Assistant Secretary to Program and Policy
Danielle Schittino, Analyst
John Svare, Associate Counsel
Natisha Alexander, Committee Clerk
Sarah Conklin, Program and Counsel Secretary

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I. INTRODUCTION

A. Committee Jurisdiction

New York State is home to one of the premier Thoroughbred and Harness racing programs in the nation. Each year, millions of dollars are wagered on races at the three largest Thoroughbred racetracks in the state: Aqueduct Racetrack in the South Ozone Park neighborhood of Queens County; Saratoga Race Course in Saratoga Springs, the oldest racing venue in the United States and home of the prestigious Travers Stakes; and Belmont Park in Nassau County, host to the longest dirt track in North America at one and one-half miles and, most notably, the third and final leg (also known as “the third jewel”) of Thoroughbred racing’s highest honor, the Triple Crown. Last but not least, nestled in the state’s picturesque Finger Lakes region is New York’s fourth Thoroughbred racetrack, Finger Lakes Gaming and Raceway. Across the state, there are seven Harness racetrack-casinos (“racinos”) where patrons can view live harness (also known as “Standardbred” or “trotting”) races and enjoy casino-style video lottery gaming: Empire City Yonkers Raceway in Westchester County; Buffalo Raceway in Erie County; Batavia Downs in Genesee County; Vernon Downs in Oneida County; Tioga Downs in Tioga County, Monticello Raceway in Sullivan County; and Saratoga Gaming and Raceway in Saratoga County.

In addition to attending live race meetings, racing fans may visit branches of any of the state’s five regional Off-Track Betting Corporations (OTBs): Western; Capital; Catskill; Nassau; or Suffolk, to view and wager on the state’s races or, via simulcast, races from other states and countries around the world. First authorized in the City of New York in 1970, OTBs are public-benefit corporations whose purpose is to generate revenues for the support of the localities within their geographical region. They also provide jobs for thousands of New Yorkers. Since the inception of OTBs, millions of dollars in wagering revenues have been distributed to the aid of local governments across the state.

Previously the New York State Racing and Wagering Board and the State Division of Lottery (DOL) were two separate entities. In the State fiscal year 2012-2013 budget these two agencies were combined into the New York State Gaming Commission, which will take effect on February 1, 2013. This Commission is comprised of four divisions. The divisions are lottery, charitable gaming, gaming, and horse racing and pari-mutuel wagering.

The Division of Lottery will be responsible for the operation and administration of the state lottery for education except video lottery gaming. However, the lottery division will be responsible for all aspects of promotional activities related to video lottery gaming as prescribed by the Tax Law.

The Charitable Gaming Division will be responsible for the supervision and administration of the games of chance licensing law, bingo licensing law, and bingo control law as prescribed in General Municipal Law and Executive Law.

The Gaming Division will be responsible for the appropriate administration, regulation, and oversight of Indian gaming as defined by tribal-state compacts pursuant to the Indian Regulatory Act. The gaming division will also be responsible for the operation and administration of video lottery gaming as prescribed in the Tax Law.

The Horse Racing and Pari-Mutuel Wagering Division will be responsible for the supervision, regulation, and administration of all horse racing and pari-mutuel wagering activities.

B. Summary of Actions

During the 2012 Legislative Session 64 bills were referred to the Assembly Standing Committee on Racing and Wagering. Of those 64 bills, 15 were reported favorable out of the committee and 5 were signed into law. Some of the bills that the Committee acted on include support for the fundraising efforts of duly licensed charitable gaming organization, an increase in the monies given to the BEST program which provides assistance to the backstretch employees of the racetrack, and the expansion of the Catskill Off-Track Betting region to include the five counties of the previous New York City Off-Track Betting Corporation.

II. 2012 LEGISLATIVE ACTION

A. Regulation of Racing and Wagering and Lottery

Qualifications for Members of the New York State Gaming Commission

A.10023 (Cymbrowitz) / S.7305 (Klein); Passed Assembly

The enacted 2012-13 New York State budget established the New York State Gaming Commission by combining the Division of Lottery and the Racing and Wagering Board. As New York State continues to move forward with the possible second passage of a constitutional amendment to allow casino gaming, it is important to ensure that a member of this new commission will have experience in dealing with problem gambling. This bill would add significant experience in the prevention or treatment of problem gambling to the list of possible experience that the members of the New York State Gaming Commission should have.

Legislative Task Force on Responsible Gaming

A.10054-A (Cymbrowitz) / S.7796 (Addabbo); Passed Assembly

This bill would establish the Legislative Task Force on Responsible Gaming. This task force would consist of eleven members who would be responsible for: identifying policies and programs that mitigate risks and consequences associated with problem gambling; recommending policies and procedures for the New York State Gaming Commission to ensure responsible gaming practices; recommending a structure for the enforcement of responsible gaming regulations such as penalties for violations; identifying methods to measure the effectiveness of implemented procedures; and identifying and recommending provisions to ensure responsible gaming practices are included in the enabling legislation regarding casino gaming; and requiring that the final report of recommendations be submitted to the Governor, Speaker of the Assembly, and Temporary President of the Senate no later than February 1, 2013.

New York State Racing Franchise Accountability & Transparency Act of 2012

A.10717 (Pretlow) / S.7744 (Skelos); Chapter 457 of the Laws of 2012

The New York State Racing Franchise Accountability and Transparency Act of 2012 would create the New York racing association reorganization board which would consist of 17 members. This board would be required to submit recommendations, to the governor and the state legislature, for a statutory plan for the prospective not-for-profit governing structure of the New York Racing

Association, Inc., 180 days prior to the board's termination; require each board member to annually provide written disclosure to the board of any interest held by a director, director's spouse, or unemancipated child in the racing or breeding industry; and terminate the reorganization board after 3 years.

State Fiscal Year 2012-13 Enacted Budget: Summary of Provisions

A.9058-D (Budget Bill) / S.6258-D (Budget Bill); Chapter 58 of the Laws of 2012

The enacted SFY 2012-13 budget contained provisions which closely aligned the appointment and employment of certain racing officials by authorizing licensed harness racing associations and corporations to appoint and employ the starter and one of the officiating judges at the pari-mutuel harness horse race meetings. Prior to the passage of this piece of legislation, the Racing and Wagering Board designated and employed all of the racing officials who supervised the conduct of live pari-mutuel harness racing.

The 2012-13 enacted budget also contained provisions that require the Racing and Wagering Board to study the impact of advance deposit wagering on horse racing and pari-mutuel handle in New York State. This study along with recommendations from the Racing and Wagering Board is to be submitted to the Governor and Legislature by September 15, 2012.

State Fiscal Year 2012-13 Enacted Budget: Summary of Provisions

A.9059-D (Budget Bill) / S.6259-D (Budget Bill); Chapter 59 of the Laws of 2012

The enacted SFY 2012-13 budget contained provisions, which extended for one year, until June 30, 2013; the authorization for a lower pari-mutuel tax rate; the authorization for account wagering; and various provisions of law relating to the authorization to simulcast Thoroughbred and Harness races and the distribution of revenues derived therefrom.

State Fiscal Year 2012-13 Enacted Budget: Summary of Provisions

A.9060-C (Budget Bill) / S.6260-C (Budget Bill); Chapter 60 of the Laws of 2012

The enacted SFY 2012-13 budget merged the New York State Racing and Wagering Board with the New York State Division of Lottery to form the New York State Gaming Commission. This new commission consists of seven members appointed by the governor with the consent of the Senate. It is also divided into four divisions which are: lottery, charitable gaming, gaming, and horse racing and pari-mutuel wagering. The commission is responsible for regulating all authorized gambling

activities, including but not limited to, horse racing, lottery games, video lottery gaming, and Indian gaming.

B. Racing: Thoroughbred and Harness

Rebates for Betting Customers

A.3648 (Pretlow) / No Same-as; Passed Assembly

In recent years, the state's racing and pari-mutuel wagering network has encountered several challenges that have hampered the growth of handle wagered in New York. One of these challenges is the presence of off-shore betting houses that are offering financial incentives for betting customers to place wagers through their services as opposed to placing a bet through an off-track betting facility or racetrack's account wagering platform. To protect the interests of the businesses licensed by New York state to accept pari-mutuel wagers and afford them an opportunity to compete with these off-shore entities, A.3648 (Pretlow) would authorize racetracks and off-track betting corporations to offer rebates on pari-mutuel wagers made by bettors, provided that such rebate programs be subject to the review and approval of the Racing and Wagering Board.

Payments to the Thoroughbred Horsemen's Association

A.9294 (Pretlow) / S.6950 (Bonacic); Chapter 134 of the Laws of 2012

This chapter extended for one year the authorization for the New York Thoroughbred Horsemen's Association (NYTHA) to receive an additional 1% of purse monies collected from race meetings held at New York Racing Association tracks until August 31, 2013. This money is used to support benevolent activities for backstretch employees, including medical and mental health services, drug and alcohol counseling, as well as various other tests and screenings.

Definition of a "stallion" in New York State

A.9392 (Pretlow) / S.7125 (McDonald); Chapter 288 of the Laws of 2012

Currently, New York stallions must be bred from a New York bred dam and be registered with the fund. Also, ownership rules apply to the definition of a stallion. The stallion can either be owned by a New York resident; owned by a resident of another state; or jointly owned by a New York resident and a resident of another state. In the latter two cases there must be a lease period of two years in

order for the horse to be defined as a New York Stallion. This chapter reduced the minimum lease period to one year for stallions that are owned by residents of other states or stallions that are jointly owned by a New York resident and a resident of another state. This piece of legislation will help to increase the incentive to breed in New York State and therefore increase the number and quality of stallions standing in New York State.

Payments to the Thoroughbred Breeding and Development Fund

A.10295 (Pretlow) / S.7050 (Bonacic); Chapter 423 of the Laws of 2012

The New York State Thoroughbred Breeding and Development Fund (“the Fund”), established in 1973 by section 252 of the Racing Pari-mutuel Wagering and Breeding Law, is a public benefit corporation which serves as the regulatory body for the State’s breeding and racing program, and whose purpose it is to reinvest a share of the monies wagered in the state to promote the breeding and raising of Thoroughbred horses. In addition to a small percentage reserved for administrative costs, the Racing Law authorizes the Fund to disburse its monies for awards to the breeders and horse owners of NY-bred horses; for the supplement of purses in races exclusive to NY-bred horses; and, for the publication and dissemination of materials and/or information encouraging interest in the breeding and raising of NY-breds and other general agricultural pursuits.

In recent years, due to overall declines in handle, the Fund has experienced a significant reduction in the payments it received from racetracks and regional off-track betting corporations, which then limited its ability to make the required investments in the State’s breeding program. To alleviate this limitation, Chapter 473, enacted in August 2010, modified the manner in which the Fund is authorized to receive its share of payments from an annual to a quarterly basis. The Chapter also increased the maximum percentage of the Fund’s revenues that could be used for awards to breeders of NY bred horses.

Chapter 423 of 2012 allows the New York State Thoroughbred Breeding and Development Fund to extend the benefits described above for an additional year, until October 2013.

Purse Enrichment for New York Bred Horses

A.10514 (Pretlow) / S.7390 (McDonald); Passed the Assembly

This bill would allow the money distributed to purses by the Thoroughbred Breeding and Development Fund to be used to award New York Breds in all races and not just New York Bred

only races. This would award a larger pool of New York Breds and incentivizes New York breeders and owners to enter into more open races and therefore will lead to an increased interest in breeding and racing horses in New York State.

C. Division of Lottery

Lottery Ticket for the Arts

A.3585 (Gabryszak) / No Same-as; Referred to the Assembly Ways and Means Committee

Over the years, studies have shown, and continue to show, that arts education is an essential component of a well-balanced primary and secondary education curriculum. Exposure to these creative disciplines helps to develop individuality and creative expression in students. Unfortunately, during periods of economic difficulty, creative arts programs in public schools are among the first to be eliminated as a cost savings measure. Assembly bill 3585 (Gabryszak) would seek to provide a dedicated revenue stream for these vulnerable programs by directing the Division of Lottery to design an arts-themed, scratch-off lottery ticket for which the revenues derived would be applied exclusively for the support of elementary and secondary arts education.

Returned Lottery Tickets

A.3708-A (Pretlow) / No Same-as; Reported to the Assembly Ways and Means Committee

Lottery tickets are bearer instruments. As such, the individual who presents a winning ticket for prize redemption is presumed to be the rightful owner. In efforts to protect those who play lottery games from unscrupulous acts of theft and any financial loss, ticket purchasers are urged by the Division of Lottery (DOL) to sign their tickets upon receipt to ensure that they alone will be eligible to claim any prizes. To further support these efforts, DOL has implemented an automated verification system which allows ticket holders to use the electronic ticket readers, now available at all lottery retail locations, to verify their tickets instead of surrendering them to an agent.

While the intent is for all lottery players to use the automated verification systems, the Committee, in consideration of those individuals who may have no recourse but to submit their tickets to an agent for verification, advanced Assembly bill 3708 (Pretlow) which would require lottery retail agents to return any previously purchased ticket which has been submitted for verification to the customer, once the process has been completed. In addition, this bill would allow lottery customers

who choose to retain their non-winning tickets to offset their tax liabilities against any future prizes, to continue that practice.

D. Off-Track Betting

Expanding the Catskill Off-Track Betting Region

A.7301-B (Pretlow) / S.5054-A (Lanza); Vetoed, Memo 172

In December 2010, the New York City Off-Track Betting Corporation closed its doors. With this closing came the loss of jobs as well as the subsequent loss of revenue for New York State. This bill would create an off-track betting presence in New York City as well as an increase in the number of available jobs. This bill would include the counties of Richmond, Queens, Kings, Bronx, and New York in the Catskill Off-Track Betting Region. In addition, this legislation would require the site selection board to approve the purchase or lease of property that would be used as an off-track betting facility by Catskill Off-Track Betting Corporation in New York City. However, prior to any construction or establishment of such facilities Catskill OTB must establish and submit a business plan to the New York State Racing and Wagering Board. This business plan must include but is not limited to; an outline of investments, projected operating costs, and projected locations of off-track betting facilities.

Suffolk Off-Track Betting Bankruptcy

A.9062 (Sweeney) / No Same-as; Passed the Assembly

This bill would provide Suffolk Off-Track Betting Corporation with the specific power to file for bankruptcy under the United States Bankruptcy Code. This legislation would also allow Suffolk Off-Track Betting Corporation to access funds in its capital acquisition fund for general corporate purposes.

Distribution of Surcharge Revenues

A.9260 (Pretlow) / S.6932 (Kennedy); Chapter 437 of the Laws of 2012

This chapter extends the current authorization for the distribution of surcharge revenues for the harness track located in Erie County for five years, until August 31, 2017.

E. Charitable Gaming

Increased Raffle Limits

A.10411 (Schimminger) / S.7506 (Maziarz); Chapter 455 of the Laws of 2012

This chapter increases the single prize limit and the aggregate prize limit for raffles permissible during a license from \$50,000 to \$100,000 and from \$500,000 to \$2 million, respectively. As funding for not-for-profit organizations becomes scarce, many organizations are relying on raffles as a fund-raising source.

F. Constitutional Amendment

Casino Gambling in New York State

A.9556 (Pretlow, Gunther) / S.6734 (Bonacic); Delivered to the Secretary of State
Governor Program Bill #30

Article 1 Section 9 of the New York State Constitution states, “no lottery or the sale of lottery tickets, pool-selling, book-making, or any other kind of gambling, except lotteries operated by the state and the sale of lottery tickets in connection therewith as may be authorized and prescribed by the legislature, the net proceeds of which shall be applied exclusively to or in aid or support of education in this state as the legislature may prescribe, and except pari-mutual betting on horse races as may be prescribed by the legislature and from which the state shall derive a reasonable revenue for the support of government.” Currently, gambling is not authorized in New York State unless the money is used exclusively or in support of education. This constitutional amendment would provide for the authorization of casino gambling, at no more than seven facilities, as authorized and prescribed by the legislature.

The process for passing a constitutional amendment is much more extensive than other legislation. A constitutional amendment not only is referred to the appropriate committee in each house, but it is also sent to the state Attorney General. Unlike other legislation, after the amendment is passed by both houses of the State Legislature, it does not go to the governor for his signature. Instead, it is referred to the next regular two-year legislative session which follows the general election of the members of the Legislature. Following second passage of the amendment by the newly elected legislature, it is placed on the ballot for a statewide voter referendum. Once the amendment is approved by the majority of voters in the state, it is then incorporated into the New York State Constitution.

III. PUBLIC HEARINGS AND ROUNDTABLES

A. Retired Racehorse Roundtable

Albany, NY- May 10, 2012

Racehorses in New York State provide a valuable source of entertainment and income for New York State and many of its residents. Unfortunately, once these animals are no longer able to compete, their value as well as their quality of life decrease. Currently, there is no State policy to determine the future of a retired racehorse.

In 2005, legislation was enacted that established the New York State Taskforce on Retired Racehorses. This taskforce was charged with the responsibility of identifying productive and beneficial uses for retired racehorses. Its responsibilities also included developing and identifying new and innovative ideas that would utilize private and public funding sources. In January 2011, the Taskforce issued a report that detailed findings and recommendations regarding retired racehorses.

The Committee invited representatives from the racetracks; the New York State Taskforce on Retired Racehorses; Thoroughbred Retirement Fund, horsemen's organizations, regional off-track betting corporations and other affected sectors to participate in a roundtable. This roundtable was held in order to discuss the future of retired racehorses in New York State. The discussion topics dealt with the review of the current uses of retired racehorses; innovative uses for retired racehorses; private and public funding sources that would promote the uses of retired racehorses; trends in the racing industry that pose challenges to appropriate uses of retired racehorses; and partnerships and common interests among all racing stakeholders regarding the use of retired racehorses.

The Committee will continue to research and review legislative changes that may be beneficial to the health and well-being of retired racehorses.

B. **The Economic Impact of Video Lottery Terminals Hearing**

Albany, NY- December 11, 2012

In 2001 the New York State Legislature authorized video lottery terminals (VLTs) at racetrack locations. With video lottery terminals, a portion of the revenues are reserved for various administrative purposes by a distribution schedule established by statute. Currently, nine racetracks in New York have corresponding racinos with video lottery terminals. In 2004 Saratoga Harness Track was the first to open and operate a racino. The newest racino, Resorts World Casino at Aqueduct racetrack opened in October 2011. Video lottery gaming has been a tremendous source of revenue for New York State. In addition to supporting New York's racing industry, revenue generated from VLTs has provided valuable resources to New York's education system, agriculture industry, breeding funds, and purses. On December 11, 2012 the Committee held a public hearing on the economic impact of the VLT revenue on New York State's racing industry and the state budget.

Oral testimony provided an overview of the amount of revenue that has been generated by the video lottery terminals as well as an explanation of its impact on all aspects of the equine industry of New York. For example, the increase in purses, due to the video lottery revenue distributions, has significantly increased the desire and interest to breed and race horses in New York. In addition, the speakers also discussed the economic impact on local communities, including but not limited to, the quantity of jobs that are provided by the equine industry.

Witnesses who provided oral testimony included representatives from the New York State Thoroughbred Breeders, New York Thoroughbred Horsemen Association, Western Off-Track Betting/Batavia Downs Casino, Blue Chips Farm, New York Gaming Association, and Vernon Downs Hotel and Casino.

The public hearing was hosted by Chairman J. Gary Pretlow who was also joined by Committee members: Assemblyman Edward Ra; Assemblyman Phillip Goldfeder; and Assemblyman James Tedisco.

The Committee will continue to research and review the economic impact of video lottery terminals on New York racetracks and the State in the upcoming legislative session.

IV. OUTLOOK

During the 2012 Legislative Session events transpired that triggered reviews within the state's racing and pari-mutuel wagering industry. The absence of a state policy regarding the placement and use of retired racehorses resulted in the January 2012 report completed by the Taskforce on Retired Racehorses which was reviewed by the Committee and followed by a roundtable to discuss the results in May 2012. The 21 horse breakdowns at Aqueduct racetrack during the winter/fall meet (November 30, 2011-March 18, 2012) resulted in the subsequent formation of the New York Taskforce on Racehorse Health and Safety. The Taskforce was given the responsibility of investigating this unusual cluster of deaths and did so by reviewing existing policies on disclosures, necropsies, track conditions and pre-race examinations of horses. It also reviewed rules on claiming, veterinary procedures, and drug use. The Committee will continue to analyze both reports and look for ways to further promote equine health and safety for retired and active racehorses.

As we move forward, the Committee will continue to pay close attention to the state's racing and pari-mutuel wagering network, treatment of retired and active racehorses, and changes to the charitable gaming industry. Among other issues areas to be considered will be the review of the advanced deposit wagering report from the Racing and Wagering Board, the implementation of the New York Gaming Commission as well as the overall effect of the potential passage of the constitutional amendment to allow casino gambling in New York.

APPENDIX A
2012 SUMMARY SHEET

SUMMARY OF ACTION ON ALL BILLS
REFERRED TO THE COMMITTEE ON

RACING AND WAGERING

| <u>FINAL ACTION</u> | <u>ASSEMBLY BILLS</u> | <u>SENATE BILLS</u> | <u>TOTAL BILLS</u> |
|---|---------------------------|-------------------------|------------------------|
| BILLS REPORTED WITH OR WITHOUT AMENDMENT | | | |
| TO FLOOR; NOT RETURNING TO COMMITTEE | 3 | 0 | 3 |
| TO FLOOR; RECOMMITTED AND DIED | | | |
| TO WAYS AND MEANS | 8 | 0 | 8 |
| TO CODES | 1 | 0 | 1 |
| TO RULES | 2 | 0 | 2 |
| TO JUDICIARY | 1 | 0 | 1 |
| TOTAL | 15 | 0 | 15 |
| BILLS HAVING COMMITTEE REFERENCE CHANGED | | | |
| TO <u>Ways and Means</u> COMMITTEE | 0 | 0 | 0 |
| TO <u>JUDICIARY</u> COMMITTEE | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 |
| SENATE BILLS SUBSTITUTED OR RECALLED | | | |
| SUBSTITUTED | | 2 | 2 |
| RECALLED | | | |
| TOTAL | | 2 | 2 |
| BILLS DEFEATED IN COMMITTEE | 0 | 0 | 0 |
| BILLS HELD FOR CONSIDERATION with a roll-call vote | 6 | 0 | 6 |
| BILLS NEVER REPORTED, HELD IN COMMITTEE | 43 | 0 | 43 |
| BILLS HAVING ENACTING CLAUSES STRICKEN | 0 | 0 | 0 |
| MOTIONS TO DISCHARGE LOST | 0 | 0 | 0 |
| TOTAL BILLS IN COMMITTEE | 64 | 2 | 66 |
| TOTAL NUMBER OF COMMITTEE MEETINGS HELD | 7 | | |

APPENDIX B: CHAPTERS OF 2012

| BILL/SPONSOR | DESCRIPTION | ACTION |
|---------------------------------------|--|---------------|
| A.9294 Pretlow S.6950 Bonacic | Extends for one year, until August 31, 2013, the authorization for the horsemen's organization to receive an additional 1% of purse monies collected from race meetings at Aqueduct, Saratoga, and Belmont racetracks. | Chapter 134 |
| A.9392 Pretlow S.7125 McDonald | Reduces the minimum lease period from two years to one year for stallions owned by residents of other states or jointly owned by a New York resident and a resident of another state. | Chapter 288 |
| A.10295 Pretlow S.7050 Bonacic | Extends for one year, until October 2013, provisions of law relating to the New York Thoroughbred Breeding and Development Fund. | Chapter 423 |
| A.9260 Pretlow S.6932 Kennedy | Extends current authorization for distribution of surcharge revenues for the harness track located in Erie County, for five years, until August 31, 2017. | Chapter 437 |
| A.10411 Schimminger S.7506 Maziarz | Increases the single prize limit for raffles from \$50,000 to \$100,000 and the aggregate raffle prize limit from \$500,000 to \$2 million. | Chapter 455 |
| A.10717 Pretlow S.7744 Skelos | Creates the New York racing association reorganization board which would consist of 17 members. | Chapter 457 |

APPENDIX C: BILLS REPORTED IN 2012

| <u>BILL/SPONSOR</u> | <u>DESCRIPTION</u> | <u>LAST ACTION</u> |
|--|--|--|
| A.3585 Gabryszak No Same As | Would create an arts-themed scratch-off lottery ticket, for which sales proceeds would be used exclusively for the support of elementary and secondary arts education. | Reported to the Ways and Means Committee. |
| A.3648 Pretlow No Same As | Would authorize racetracks and off-track betting corporations to offer rebates on pari-mutuel wagers made by bettors. | Passed Assembly; referred to the Senate Racing, Gaming and Wagering Committee. |
| A.3708-A Pretlow No Same As | Requires lottery sales agents to return previously purchased lottery tickets to customers who submit them for verification, after the process has been completed. | Reported to the Assembly Ways and Means Committee. |
| A.7301-B Pretlow S.5054-A Lanza | Include the counties of Richmond, Queens, Kings, Bronx, and New York in the Catskill Off-Track Betting Region. | Vetoed, Memo 172 |
| A.9062 Sweeney No Same As | Provides Suffolk Off-Track Betting Corporation with the specific power to file for bankruptcy under the United States Bankruptcy Code and access funds in its capital acquisition fund for general corporate purposes. | Passed Assembly; referred to the Senate Racing, Gaming and Wagering Committee. |
| A.9556 Pretlow S.6734 Bonacic | Constitutional amendment that would provide authorization of casino gambling, at no more than seven facilities, as authorized and prescribed by the legislature. | Delivered to the Secretary of State. |
| A.10023 Cymbrowitz S.7305 Klein | Add a possible requirement for members of the New York State Gaming Commission to also have significant experience in the prevention or treatment of problem gambling. | Passed Assembly; referred to the Senate Racing, Gaming and Wagering Committee. |
| A.10054-A Cymbrowitz S.7796 Addabbo | Establish the Legislative Task Force on Responsible Gaming. | Passed Assembly; referred to the Senate Rules Committee. |
| A.10514 Pretlow S.7390 McDonald | Authorizes current purse enrichment allocation percentages for tracks and incentives, to be awarded to New York Bred horses regardless of the type of race the horse has entered into. | Passed Assembly; referred to the Senate Rules Committee. |

END OF REPORT