

STATE OF NEW YORK

3705

2011-2012 Regular Sessions

IN ASSEMBLY

January 26, 2011

Introduced by M. of A. PRETLOW, REILLY, SPANO -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to antitrust exemptions for horse racing agreements

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The racing, pari-mutuel wagering and breeding law is
2 amended by adding a new section 113 to read as follows:

3 § 113. Antitrust exemptions. State and federal antitrust laws shall
4 not apply to any joint agreement entered into, in consultation with and
5 approved by the state racing and wagering board, by or among non-profit
6 racing associations, thoroughbred racing associations or corporations,
7 harness racing associations or corporations, quarter horse racing asso-
8 ciations or corporations, and regional off-track betting corporations to
9 coordinate the dates and times under which they will conduct programs of
10 racing and offer pari-mutuel wagering. In addition, such antitrust laws
11 shall not apply to joint agreements entered into, in consultation with
12 and approved by the state racing and wagering board, by or among non-
13 profit racing associations, thoroughbred racing associations or corpo-
14 rations, harness racing associations or corporations, quarter horse
15 racing associations or corporations, and regional off-track betting
16 corporations to sell, transfer, assign or purchase the rights to broad-
17 cast, simulcast, electronically transmit or offer pari-mutuel wagering
18 on horse races. The state racing and wagering board shall consider and
19 approve such agreements and the terms therein to further the state's
20 interest in ensuring the viability and continued existence in this state
21 of the horse racing and agriculture industries.

22 § 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD04869-01-1

VETO MESSAGE - No. 23

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 4067-A, entitled:

"AN ACT to amend the education law and the general municipal law, in
relation to allowing school districts the option of amortizing

future payments to the New York state teachers' retirement system"

NOT APPROVED

This bill would allow school districts to borrow by selling bonds to pay for employer pension costs to the New York State Teachers' Retirement System without voter approval. In particular, the bill would authorize the governing boards of school districts located outside New York City to elect to finance a portion of their current pension contributions for plan years 2011-12, 2012-13, 2013-14 and potentially thereafter. Under the bill, the amount of such borrowing could not exceed 125% of the aggregate contribution due from each district for the 2010-11 plan year.

When I took office earlier this year, I made a firm commitment to the people of this State that the days of irresponsible fiscal practices are over. I pledged to put an end to the unsustainable spending and rampant borrowing that has burdened New Yorkers with some of the highest property and school taxes in the nation. To that end, this year, with the help of the Legislature, we enacted historic and landmark legislation to cap local property and school taxes and reduce unfunded mandates on local governments.

This bill, if signed into law, would not only undermine the historic reforms we have achieved this session, but would also breach the trust placed in me by the people of this State. Indeed, this legislation would burden local property taxpayers and businesses -- both current and future -- with up to 15 years of long-term debt without their approval. Instead of cutting spending, this bill would enable school districts to borrow to meet current expenses, forcing taxpayers in the future to repay amounts significantly higher than what was originally borrowed. New York taxpayers and businesses can ill afford these imprudent fiscal practices which will unquestionably result in several more years of unsustainable tax increases.

While I am disapproving this bill today, I am cognizant of the challenges facing local governments and pledge to work closely with localities, including school districts, to reduce costs, relieve the burden on property taxpayers and maintain the highest possible quality of services for all New Yorkers.

The bill is disapproved.

(signed) Andrew M. Cuomo
