

**Supporting New York State Assembly Bill No. A06517, Removing Ulster From The Counties The Governor Is Authorized To Enter Into Tribal Compacts With For Situs Of Certain Types Of Gaming Facilities**

The Environmental Committee (Chairman Shapiro and Legislators Bartels, Distel, R.A. Parete, Rodriguez, Fabiano and McAfee) and the Economic Development, Housing, Planning and Transit Committee (Chairman Rodriguez and Legislators Berardi, Gregorius, Loughran, Sheeley, Alfonso and Roberti) offer the following:

WHEREAS, the Ulster County Legislature has debated, at length and engaged in legislation relating to the potential location of certain types of gaming facilities, or casinos, in Ulster County, and

WHEREAS, the potential location of gaming or casino facilities has raised great concern among members of the public as well as members of the Ulster County Legislature, and

WHEREAS, several towns and villages in Ulster County including Denning, Gardiner, Hardenburgh, Marbletown, New Paltz, Olive, Plattekill, Rochester, Saugerties, Shandaken, Woodstock, the City of Kingston, the Village of New Paltz and the Village of Saugerties, have all adopted resolutions stating their opposition to casino gambling within the County, and

WHEREAS, Governor Eliot Spitzer has issued his concurrence with regard to gaming in nearby Sullivan County by the St. Regis Mohawk Tribe and also signed the Tribal-State Compact Amendment, authorizing gaming in Sullivan County and, specifically, at the Monticello site where the Tribe intends to build a Class III casino, and

WHEREAS, if the recently announced agreement to construct a casino in Sullivan County is allowed to move forward, the Governor would still have the authority to negotiate up to two more casinos in the Catskills, and

WHEREAS, current New York State law does not require the Governor to seek the approval of individual counties prior to entering into an agreement, and

WHEREAS, Assembly Bill No. A06517 is currently being proposed that would remove Ulster County from Section 12 of Executive Law of the State of New York which as written, permits casino(s) to be fast tracked with the Governor's approval only in Ulster County, and

WHEREAS, Section 12 of Executive Law of the State of New York does not provide for County or local municipal approval before entering into an agreement, and

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WHEREAS, the Ulster County Legislature is cognizant of the fact that there may be local municipalities within its border who may be in favor of siting a casino in their municipality as well as those that may be against it, and

WHEREAS, the County of Ulster, as previously set forth in Resolution No. 195 dated June 9, 2005 (Requesting Approval Of The Ulster County Legislature To Allow Individual Municipalities In Ulster County To Decide Whether Indian Casinos Should Be Located Within Its Borders) has gone on record as strongly supporting the concept of Home Rule which would provide for the consent of the Town, Village or City in which the establishment of a casino is to sited, and

WHEREAS, the Environmental Committee has met and reviewed this resolution with a majority of the members voting approval, and

WHEREAS, the Economic Development, Housing, Planning and Transit Committee has met and reviewed this resolution with a majority of the members voting approval.

WHEREAS, the Ulster County Legislature supports the intent of Assembly Bill No. A06417 which, as written, would remove Ulster County from Section 12 of Executive Law of the State of New York permitting casino(s) situs to be fast tracked with the Governor's approval only.

RESOLVED, that the Ulster County Legislature urges the New York State Legislature and the Governor of the State of New York to adopt and approve an amendment to Section 12 of Executive Law of the State of New York or by the adoption of any other State legislation that would further require the consent of the Town, Village or City in which the establishment of a casino is to be sited, and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature is hereby directed to forward copies of this resolution to Governor Eliot Spitzer, New York State Comptroller's Office, Senate Majority Leader Joseph Bruno, Senate Minority Leader Malcolm Smith, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader James N. Tedisco, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez and Thomas Kirwan, and the New York State Association of Counties,

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 24 NOES: 8  
(NOES: Alfonso, Busick, Every, Felicello,  
Gerentine, Harris, McAfee and Noonan)  
(Absent: Legislator Loughran)

FINANCIAL IMPACT:  
NONE

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