

NYCRR Title 9, Executive

Subtitle R

Gaming Facility Location Board

Chapter I

Gaming Facility Location Board

Part

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PART 600

Public Hearings

Section

600.1 Public hearings

§ 600.1. Public hearings.

(a) If the New York Gaming Facility Location Board conducts a public hearing, it shall cause the New York State Gaming Commission to post a notice of such hearing on the Gaming Commission's website a reasonable period of time before such meeting.

(b) Any member of the New York Gaming Facility Location Board may preside over a public hearing as chair of the meeting. The conduct of the meeting shall be in the sole and absolute discretion of the chair, who may decide whom to recognize to speak and limit the time allowed to any speaker and the number of speakers. The chair of the meeting may receive written testimony in the discretion of the chair.

PART 601

Gaming Facility License Fees

Section

601.1 Gaming facility license Fees

§ 601.1. Gaming facility license fees.

(a) The license fee for a gaming facility license issued by the Gaming Commission pursuant to Racing, Pari-Mutuel Wagering and Breeding Law article 13, title 2 shall be as follows, unless a gaming facility licensee has agreed to pay an amount in excess of the fees listed below:



(1) in Zone Two, Region One (Counties of Columbia, Delaware, Dutchess, Greene, Orange, Sullivan and Ulster), as such zone and region are defined in Racing, Pari-Mutuel Wagering and Breeding Law section 1310, the following fees will apply to counties as designated below:

- (i) \$70,000,000 for a gaming facility in Dutchess and Orange Counties;
- (ii) \$50,000,000 for a gaming facility in Columbia, Delaware, Greene, Sullivan and Ulster Counties, if no license is awarded for a gaming facility located in Dutchess or Orange Counties; and
- (iii) \$35,000,000 for a gaming facility in Columbia, Delaware, Greene, Sullivan and Ulster Counties, if a license is awarded for a gaming facility located in Dutchess or Orange Counties.

(2) \$50,000,000 in Zone Two, Region Two (Counties of Albany, Fulton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie and Washington), as such zone and region are defined in Racing, Pari-Mutuel Wagering and Breeding Law section 1310;

(3) in Zone Two, Region Five (Counties of Broome, Chemung (east of State Route 14), Schuyler (east of State Route 14), Seneca, Tioga, Tompkins, and Wayne (east of State Route 14)), as such zone and region are defined in Racing, Pari-Mutuel Wagering and Breeding Law section 1310, the following fees will apply to counties as designated below:

- (i) \$35,000,000 for a gaming facility in Broome, Chemung, Schuyler, Tioga or Tompkins Counties;
- (ii) \$50,000,000 for a gaming facility in Wayne or Seneca Counties; and
- (iii) \$20,000,000 for a gaming facility in Broome, Chemung, Schuyler, Tioga and Tompkins Counties, if a license is awarded for a gaming facility located in Wayne or Seneca Counties.

(b) The license fee for a gaming facility license issued by the Gaming Commission pursuant to Racing, Pari-Mutuel Wagering and Breeding Law article 13, title 2-A shall be \$500,000,000, unless a gaming facility licensee has agreed to pay an amount in excess of that.

(c) A gaming facility licensee shall pay the required license fee by electronic fund transfer according to directions issued by the Gaming Commission.

PART 602
Capital Investment

Section
602.1 Gaming facility minimum capital investment

§ 602.1. Gaming facility minimum capital investment.

(a) *Title 2 licensees.* For a gaming facility licensed pursuant to Racing, Pari-Mutuel Wagering and Breeding Law article 13, title 2, the minimum capital investment for a gaming facility by zone and region, as such zone and regions are defined in Racing, Pari-Mutuel Wagering and Breeding Law section 1310, shall be:

(1) In Zone Two, Region One (Counties of Columbia, Delaware, Dutchess, Greene, Orange, Sullivan and Ulster):

(i) \$350,000,000 for a gaming facility in Dutchess or Orange Counties;

(ii) \$130,000,000 for a gaming facility in Columbia, Delaware, Greene, Sullivan or Ulster Counties, if no license is awarded for a gaming facility located in Dutchess or Orange Counties; and

(iii) \$100,000,000 for a gaming facility in Columbia, Delaware, Greene, Sullivan or Ulster Counties, if a license is awarded for a gaming facility located in Dutchess or Orange Counties.

(2) \$135,000,000 in Zone Two, Region Two (Counties of Albany, Fulton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie and Washington).

(3) In Zone Two, Region Five (Counties of Broome, Chemung (east of State Route 14), Schuyler (east of State Route 14), Seneca, Tioga, Tompkins, and Wayne (east of State Route 14)):

(i) \$85,000,000 for a gaming facility in Broome, Chemung, Schuyler, Tioga or Tompkins Counties;

(ii) \$135,000,000 for a gaming facility in Wayne or Seneca Counties; and

(iii) \$70,000,000 for a gaming facility in Broome, Chemung, Schuyler, Tioga or Tompkins Counties, if a license is awarded for a gaming facility located in Wayne or Seneca Counties.

(b) *Title 2-A licensees.* For a gaming facility licensed pursuant to Racing, Pari-Mutuel Wagering and Breeding Law article 13, title 2-A, the minimum capital investment for a gaming facility shall be \$500,000,000.