

1 **2021 NYSAC Fall Seminar**
2 **Standing Committee on Native American Affairs & Gaming**
3 **Resolution #2**

4 **Resolution Calling on the State of New York to Immediately Make All**
5 **Municipalities Whole in the Saint Regis Mohawk Tribal Gaming Region that**
6 **Have Been Impacted by the State's Lack of Payment**

7 **WHEREAS**, On October 15, 1993 the St. Regis Mohawk Tribe and the State of New
8 York signed a compact paving the way for casino gaming; the Akwesasne Mohawk
9 Casino opened on April 12, 1999; and

10 **WHEREAS**, under agreement and codification in New York law the St. Regis Mohawk
11 Tribe pays 25 percent of all gaming revenue to the State of New York in return for, in
12 part, exclusivity regional gaming rights; and

13 **WHEREAS**, under the agreement, the State of New York shares with local
14 governments, including seven counties and numerous towns, in Northern New York, a
15 portion of revenue they receive from the St. Regis Mohawk Tribe; and

16 **WHEREAS**, the counties and local governments rely on that revenue to maintain
17 infrastructure and provide public safety for all residents as well as provide services
18 needed to help support this growing gaming industry; and

19 **WHEREAS**, in March 2020, the State of New York, under a State of Emergency, closed
20 many businesses, especially ones where crowds gathered, including casinos, causing the
21 Akwesasne Mohawk Casino from making any revenue at this time; and

22 **WHEREAS**, in August 2020, casinos including the Akwesasne Mohawk Casino were
23 allowed and did reopen with a limited capacity and began making revenue once again
24 that is to be shared with the State and local governments; and

25 **WHEREAS**, to date, there have been no payments by the State to the 7 Northern
26 Region Counties since the last quarter of 2019; and

27 **WHEREAS**, this revenue loss amounts to millions of dollars in lost revenue annually to
28 the 7 Northern Region Counties; and

29 **WHEREAS**, this funding is needed by the counties to fix roads, support social services,
30 and provide for public health and safety; and

31 **WHEREAS**, the St. Regis Mohawk Tribe and the counties of New York have a long
32 history of productive partnerships and respect; and

33 **WHEREAS**, New York State has not been receptive to the resolution of these upstate
34 county needs by easing the financial burden created by the State's failure to resolve the
35 issue; and

1 **WHEREAS**, the State of New York has created a system by which vital local services
2 are dependent on continued revenue being received and distributed to local
3 governments through casino gaming, yet the State has not made a contingency plan
4 and/or ignored the needs of local governments when this revenue is lowered or even not
5 received; and

6 **WHEREAS**, a new governor, Governor Hochul with a fresh perspective which is
7 informed with a deep understanding of upstate issues offers an opportunity to move the
8 issue to completion.

9 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
10 Counties (NYSAC) calls on the State of New York to immediately make municipalities
11 whole for the funding being withheld by the State by either lack of collection from the St.
12 Regis Mohawk Tribe or collected and not passed on in a timely manner; and

13 **BE IT FURTHER RESOLVED**, in the alternative if the State is unwilling to make the
14 local governments whole, and the if St. Regis Mohawk Tribe desires to assist local
15 governments directly, the State will not see this as a violation, nor will this act be subject
16 to the terms of the St. Regis Mohawk Tribe and New York State Compact; and

17 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
18 of New York State encouraging member counties to enact similar resolutions; and

19 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
20 Governor Kathy Hochul, the New York State Legislature, the St. Regis Mohawk Tribe,
21 and all others deemed necessary and proper.