

1 **NYSAC 2022 Fall Conference**
2 **Standing Committee on Native American Affairs and Gaming**
3 **Resolution #2**

4
5 **Resolution Calling on the State of New York to Make All Municipalities**
6 **Whole in the Saint Regis Mohawk Tribal Gaming Region that Have Been**
7 **Impacted by the State’s Lack of Payment**
8

9 **WHEREAS**, On October 15, 1993, the St. Regis Mohawk Tribe and the State of New York
10 signed a compact paving the way for casino gaming; the Akwesasne Mohawk Casino opened
11 on April 12, 1999; and
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13 **WHEREAS**, under agreement and codification in New York law, the St. Regis Mohawk
14 Tribe pays 25 percent of all gaming revenue to the State of New York in return for, in part,
15 exclusivity regional gaming rights; and
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17 **WHEREAS**, under the agreement, the State of New York shares with local governments,
18 including counties and numerous towns in Northern New York, a portion of revenue they
19 receive from the St. Regis Mohawk Tribe; and
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21 **WHEREAS**, the counties and local governments rely on that revenue to maintain
22 infrastructure and provide public safety for all residents, as well as provide services needed
23 to help support this growing gaming industry; and
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25 **WHEREAS**, in March 2020, the State of New York, under a State of Emergency, closed
26 many businesses, especially ones where crowds gathered, including casinos, resulting in
27 revenue losses for the Akwesasne Mohawk Casino; and
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29 **WHEREAS**, in August 2020, casinos including the Akwesasne Mohawk Casino were
30 allowed and did reopen with a limited capacity and began making revenue once again that
31 should have been shared with the State and local governments; and
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33 **WHEREAS**, to date, there have been no payments by the State to the seven northern
34 region counties since the last quarter of 2019; and
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36 **WHEREAS**, this revenue loss amounts to millions of dollars annually to the seven
37 northern region counties; and
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39 **WHEREAS**, this funding is needed by the counties to fix roads, support social services,
40 and provide for public health and safety; and
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42 **WHEREAS**, the St. Regis Mohawk Tribe and the counties of New York have a long history
43 of productive partnerships and respect; and
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45 **WHEREAS**, New York State has not been receptive to easing the financial burden on these
46 seven counties that was created by the State’s failure to resolve the issue; and
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48 **WHEREAS**, the State of New York has created a system by which vital local services are
49 dependent on continued revenue being received and distributed to local governments

1 through casino gaming, yet the State has not made a contingency plan and/or ignored the
2 needs of local governments when this revenue is lowered or withheld; and

3
4 **WHEREAS**, in Western New York, Governor Hochul and the Seneca Nation resolved a
5 non-payment to the State issue earlier this year, understanding the importance of the
6 continued funding for these local services.

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

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13 **BE IT FURTHER RESOLVED**, in the alternative, if the state is unwilling to make the
14 local governments whole, and if the 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 to
16 the terms of the St. Regis Mohawk Tribe and New York State Compact; and

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

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