

NYSAC 2023 Fall Seminar

**Standing Committee on Native American Affairs and Gaming
Resolution #2**

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

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

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

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

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

WHEREAS, in March 2020, the State of New York, under a State of Emergency, closed many businesses, especially ones where crowds gathered, including casinos, resulting in revenue losses for the Akwesasne Mohawk Casino; and

WHEREAS, in August 2020, casinos, including the Akwesasne Mohawk Casino, were allowed to, and did, reopen with a limited capacity and began making revenue once again that should have been shared with the State and local governments; and

WHEREAS, on December 11, 2022, the State made partial payments of gaming revenue to two of the seven counties and the towns within; however, these payments did not continue; and

WHEREAS, to date, there have been no payments by the State to the remaining five region counties since the third quarter of 2019; and

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

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

1 **WHEREAS**, while New York State has helped to get two of the region’s counties
2 needed gaming funding, they have not eased the financial burden on the remaining five
3 counties is an inequitable solution that needs to be fixed; and
4

5 **WHEREAS**, the State of New York has created a system by which vital local services
6 are dependent on continued revenue being received and distributed to local
7 governments through casino gaming, yet the State has not made a contingency plan
8 and/or ignored the needs of local governments when this revenue is lowered or
9 withheld; and
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11 **WHEREAS**, in Western New York, Governor Hochul and the Seneca Nation resolved a
12 non-payment to the State issue last year, understanding the importance of the
13 continued funding for these local services.
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15 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
16 Counties (NYSAC) calls on the State of New York to immediately make all municipalities
17 whole for the funding being withheld by the State by either lack of collection from the St.
18 Regis Mohawk Tribe or collected and not passed through in a timely manner; and
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20 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
21 New York State encouraging member counties to enact similar resolutions; and
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23 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
24 Governor Kathy Hochul, the New York State Legislature, the St. Regis Mohawk Tribe,
25 and all others deemed necessary and proper.