

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

~~XXX~~ of..... Erie.....
~~XXX~~
~~XXXagex~~

Local Law No. 1 of the year 2002

A local law in relation to the operation of video lottery gaming
(Insert Title)
at Buffalo Raceway in the Town of Hamburg.

Be it enacted by the Legislature of the
(Name of Legislative Body)

County

~~XXX~~ of..... Erie..... as follows:
~~XXX~~
~~XXXagex~~

SECTION 1. Legislative Intent. The Erie County Legislature hereby finds, declares and determines that, pursuant to section 1617-a of the New York State tax law, counties may authorize video lottery gaming at certain racetracks located within their boundaries upon the enactment of a local law. It is further determined that Buffalo Raceway, located at 5600 McKinley Parkway in the town of Hamburg is located within the boundaries of the county of Erie and is a racetrack licensed by the state of New York and is eligible to operate video lottery gaming terminals upon the authorization of the Erie county legislature.

SECTION 2. Authorization. The Buffalo Raceway is hereby authorized to operate video lottery gaming in accordance with section 1617-a of the New York State Tax Law subject to the licensure and rules and regulations promulgated by the division of the lottery when applicable.

SECTION 3. Severability. If any clause, sentence, paragraph, section, part or provision of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, part or provision thereof directly involved in the proceeding or action in which such adjudication has been rendered.

SECTION 4. Effective Date. This law shall be effective immediately upon filing with the Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20.... of the (County)(City)(Town)(Village) of was duly passed by the on 20...., in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20.... of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on Dec. 13, 2001, and was (approved)(not approved)(repassed after disapproval) by the Erie County Executive and was deemed duly adopted on Jan. 3, 2002, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20.... of the (County)(City)(Town)(Village) of was duly passed by the on 20...., and was (approved)(not approved)(repassed after disapproval) by the on 20.... Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20...., in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20.... of the (County)(City)(Town)(Village) of was duly passed by the on 20...., and was (approved)(not approved)(repassed after disapproval) by the on 20.... Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20...., in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20..... of the City of having been submitted to referendum pursuant to the provisions of section (36)(G7) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on 20...., became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20..... of the County of State of New York, having been submitted to the electors at the General Election of November 20...., pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2....., above.

(Seal)

Laurie A. Manzella
Clerk of the County legislative body, City, Town & Village Clerks
X Officer designated by local legislative body

Laurie A. Manzella

Date: January 15, 2002

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK

COUNTY OF Erie

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

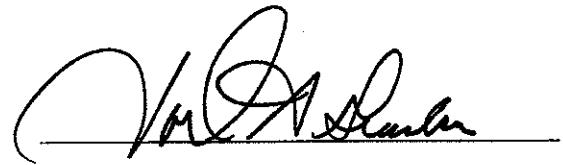
Susannah M. Bochenek
Signature: Susannah M. Bochenek
1st Assistant County Attorney

Title

County
X City of Erie
X Town
X Village

Date: January 14, 2002

A Public Hearing was held on the foregoing Local Law Intro. No. 13-2001 on Thursday, January 3, 2002, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 3rd day of January 3, 2002.

A handwritten signature in black ink, appearing to read "Joel A. Giambra", is written over a horizontal line.

A Public Hearing was held on the foregoing Local Law No. 13-2001 on Thursday, January 3, 2002, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this 3rd day of January, 2002.
