

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MILLER-WILLIAMS, BOVE & WHALEN**

**RE: OPPOSITION TO THE USURPATION OF THE ASSETS OF THE WESTERN OFF-TRACK BETTING CORPORATION**

WHEREAS, in September 1973 nine western New York counties established, as enabled by New York State law, the Western Regional Off Track Betting Corporation, WROTBC; and

WHEREAS, the county stakeholders established an oversight board represented by each community for local control and authority to regulate and administer gaming in each participating county; and

WHEREAS, since 1973 eight additional counties have joined this regional corporation, funding it in its entirety as a seventeen member county organization; and

WHEREAS, any gains in asset growth or profit from operations have been the result of the oversight and management by the member counties and their representatives, and any losses in operations were not sustained by New York State or any other entity; and

WHEREAS, gains realized have been distributed to the contributing member counties for the benefit of all taxpayers who funded the Western Regional Off Track Betting Corporation as owners; and

WHEREAS, the current net equity in 2011 of approximately \$39 million in the assets, including the branch facilities and the racetrack and gaming casino in Batavia, NY therefore are the exclusive property of the funding counties on a pro rata basis; and

WHEREAS, Erie County has earned profit distributions from WROTBC in the years 1974 and 2009 of \$68,991,274; and

WHEREAS, New York State government has proposed the taking of WROTBC assets and local control authority by consolidation of all similar off track betting corporations with the WROTBC, which will dilute the authority of the WROTBC board and represent a taking of property developed by the WROTBC with substantial risk unto itself, and significant reinvested monies to insure the financial health and stability of the WROTBC; and

WHEREAS, the member counties of WROTBC including Erie County, oppose the consolidation or other measures that improperly divest the sustaining counties of WROTBC from their assets and control without appropriate recompense.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Erie County as a member of WROTBC, joins the other member counties in opposition to proposals unfair to the equity positions of the stakeholders by New York State or other entity; and be it further

**RESOLVED**, that the governance of the WROTBC be administered solely by the invested counties which established the WROTBC and have successfully maintained it; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Cuomo, the Members of the Western New York State Delegation, and member counties of WROTBC.

FISCAL IMPACT:     None for Resolution.