



111 WASHINGTON AVE, SUITE 501  
ALBANY, NEW YORK 12207

[WWW.FWC-LAW.COM](http://WWW.FWC-LAW.COM)

PHONE: (518) 436-0786  
FAX: (518) 427-0452

## The Week That Was

06-01-18

### 1. All Tied Up

#### *Our Spin:*

For two consecutive days in the state Senate this week, activity was forced to a halt with a 31-31 split between the majority and minority conferences, as Democrats tried to push hostile amendments and Republicans lobbed accusations of improper gamesmanship. The issue stems from the absence of Senator Tom Croci, a Republican from the eastern end of Long Island who is retiring at the end of the year and is currently on Navy reserve duty. As a result, the Senate Democrats brought in pinch hitter Lt. Governor Kathy Hochul. Hochul, whose constitutional power includes presiding over the Senate and, if necessary, casting a tie breaking procedural vote, was rumored to be hanging around her office this week in case she was called up to bat.

#### *The Story:*

There was quite a bit of tension on the floor of the state Senate on Thursday as a deadlocked chamber spoiled a floor vote for the first time since the DREAM Act failed in 2014, prompting accusations from both sides of political gamesmanship.

“You saw democracy in action, and you saw Democrats playing shameless games with people’s lives, children’s lives,” Senate Majority Leader John Flanagan said after session adjourned until next week. “Democrats have decided they don’t want to govern, they want to have politics rule the day. It’s embarrassing, it’s disgusting and I hope the public understands they voted down a bill that was aimed to protect children all across the state of New York. I don’t know how much more evident it gets than that.”

Democrats at the same time have sought to force votes as well on issues like strengthening abortion rights in New York and providing greater access to contraceptives for women. Waiting in the wings for the last two days has been Lt. Gov. Kathy Hochul, whose constitutional power includes presiding over the Senate and, if necessary, casting a tie breaking procedural vote.

Thursday’s vote was about a bill that would extend laws relating to concussions and mild traumatic brain injury at public schools to non-public institutions. In normal times such a bill would sail through the chamber, but with a 31-31 split between the majority and minority conferences due to Tom Croci’s return to Naval duty, Democrats refused to lend the crucial 32nd vote necessary for passage in protest of not being allowed to offer their amendments.

“The governor and I are offended by the actions taken here today in the Senate,” Hochul said. “We believe it is vitally important for the opportunity to bring legislation forward in this house, legislation that simply says we would codify Roe v. Wade.”

[Politico](#)

### 2. Cashing In The Final Ticket

#### *Our Spin:*

On a Saturday afternoon in August of 1972 Art Rooney got hot and struck gold when he bet \$8,000 on a 8-1 longshot Quel Jeu at Yonkers Raceway. According to Legend, Art Rooney went on to hit 5 long shots that day and won over \$300,000. His earnings provided a bankroll

to an ensuing trip to Saratoga, where his myth as one of the best handicappers in the world was born.

That was not the Rooney family's last winning streak. With his prize money, Art Rooney kept his financially-struggling football franchise afloat, an organization that was soon to be known as the Pittsburgh Steelers. Art Rooney later admitted in a memoir that "although I understood the football business as well as anybody in the league, I didn't pay attention to the business that some of the other owners gave it. I was out of town a great deal of the time, at the racetracks. With me, the racetrack was a big business. And generally I'd have a head coach who was like me—he'd like the races."

Their remarkable journey only gets better. That same year, the Rooney's purchased Yonkers Raceway for \$52 million. In 2001, Yonkers Raceway expanded beyond horse racing and became known as Empire City Casino.

Today, it has more than 5,300 slot machines as well as electronic table games. Empire City generates more than \$600 million in gaming revenue, making it one of the larger casino operators in the U.S.

This past week, it was announced that the Rooney's are cashing out once and for all. MGM will purchase Empire City Casino and Yonkers Raceway in a \$850 million acquisition. The move will bolster MGM's presence on the East Coast and, in particular, in the Northeast.

Thankfully, now, the Rooney's can be reunited with the Pittsburgh Steelers. #steelersnation

#### *The Story:*

MGM Resorts made a major move into the New York City area market on Tuesday when it announced it will purchase Empire City Casino and Yonkers Raceway for \$850 million. The sale ends the 46-year ownership by the Rooney family of Yonkers Raceway and gives the casino giant a major gambling hall just 15 miles from Times Square as it continues its expansion in the Northeast.

"With Empire City's approximately 40 percent share of gross gaming revenues in the market, we believe there are significant opportunities for MGM Resorts to further drive growth," MGM Resorts CFO Dan D'Arrigo said in a statement.

MGM is expecting to close their deal in 2019, as they still need regulatory approval, including a license to operate

the facility, from the state Gaming Commission. The review process by the commission is extensive and is expected to take months.

"Our vision for this property has always been to develop it into one of the world's greatest entertainment destinations," Tim Rooney, president and CEO of Empire City, said in a statement. "We have been a partner of New York State and its communities for 46 years, and it was important to us that we identify an entity that could build on the strong foundation we have established and bring our vision to fruition... We are confident we have found that in MGM Resorts, one of the premier gaming entities in the world."

MGM officials said the company does not expect layoffs with the purchase, saying instead it would expect to hire more workers with the possible addition of sports betting and table games in the future. MGM is also set to open a \$1 billion casino in Springfield, Massachusetts this summer, and it owns the Borgata in Atlantic City. It has also been looking to build a casino in Bridgeport, Connecticut.

#### [LoHud](#)

### 3. "Denny"

Herman "Denny" Farrell, 6 feet 4 inches of sartorial elegance wrapped in a coat of solid class. I met Denny in 1975 when he came to the Assembly and my life has been the better for it ever since. I had the honor of eating with him, drinking with him, fighting with him, campaigning with him, and best of all just chilling with him.

His Ways and Means office off the floor was a sanctuary where one could go for wit, wisdom, fresh fruit, and perspective as budgets passed and sessions wound down. His word was gold and so was his heart. New York is a better place today because he shared it with us. Gods speed, old friend. - Feathers

