

6061

2009-2010 Regular Sessions

I N   S E N A T E

June 24, 2009

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Introduced by Sen. ADAMS -- read twice and ordered printed, and when  
printed to be committed to the Committee on Rules

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 9 of article 1 of the constitution, in  
relation to authorizing gambling on professional sporting events

1     Section 1. Resolved (if the Assembly concur), That subdivision 1 of  
2 section 9 of article 1 of the constitution be amended to read as  
3 follows:  
4     1. No law shall be passed abridging the rights of the people peaceably  
5 to assemble and to petition the government, or any department thereof;  
6 nor shall any divorce be granted otherwise than by due judicial  
7 proceedings; except as hereinafter provided, no lottery or the sale of  
8 lottery tickets, pool-selling, book-making, or any other kind of gambl-  
9 ing, except lotteries operated by the state and the sale of lottery  
10 tickets in connection therewith as may be authorized and prescribed by  
11 the legislature, the net proceeds of which shall be applied exclusively  
12 to or in aid or support of education in this state as the legislature  
13 may prescribe, and except pari-mutuel betting on horse races as may be  
14 prescribed by the legislature and from which the state shall derive a  
15 reasonable revenue for the support of government, AND EXCEPT WAGERING ON  
16 PROFESSIONAL SPORTING EVENTS AT BETTING FACILITIES LOCATED AT THOROUGH-  
17 BRED AND HARNESS RACETRACKS OPERATING IN THIS STATE AND IN SIMULCAST  
18 THEATERS OPERATED BY OFF-TRACK BETTING CORPORATIONS AS MAY BE PRESCRIBED  
19 BY THE LEGISLATURE, shall hereafter be authorized or allowed within this  
20 state; and the legislature shall pass appropriate laws to prevent  
21 offenses against any of the provisions of this section. WITH RESPECT TO  
22 WAGERING ON PROFESSIONAL SPORTING EVENTS AS HEREINABOVE PROVIDED, AFTER  
23 PAYMENT OF WINNING BETS, THE NET PROCEEDS FROM SUCH WAGERS SHALL BE  
24 DISTRIBUTED IN A FAIR AND EQUITABLE MANNER: FIRST, TO THE OPERATORS OF  
25 THE THOROUGHBRED AND HARNESS RACETRACK OR THE OFF-TRACK BETTING CORPO-  
26 RATION OPERATING THE TELETHEATER AT WHICH THE WAGERING WAS CONDUCTED FOR  
27 PAYMENT OF THEIR NECESSARY EXPENSES, SECOND TO THE STATE FOR ITS

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 EXPENSES IN OVERSEEING AND ADMINISTERING THE PERTINENT PROVISIONS OF LAW  
2 RELATING TO SUCH WAGERING, AND THIRD TO PROVIDE REAL PROPERTY TAX RELIEF  
3 TO RESIDENTIAL REAL PROPERTY TAXPAYERS IN THE REGIONS WHEREIN THE  
4 THOROUGHBRED OR HARNESS RACETRACK OR TELETHEATER IS LOCATED, INCLUDING,  
5 BUT NOT LIMITED TO COUNTIES, CITIES, TOWNS, VILLAGES AND SCHOOL  
6 DISTRICTS, PROVIDED, HOWEVER, THAT SUCH AMOUNTS SHALL ONLY BE USED TO  
7 REDUCE THE AMOUNT A REAL PROPERTY TAXPAYER WOULD BE REQUIRED TO PAY IN  
8 REAL PROPERTY TAXES WERE THE NET REVENUES FROM SUCH WAGERS NOT REALIZED  
9 AND AVAILABLE FOR THIS PURPOSE.

10 S 2. Resolved (if the Assembly concur), That the foregoing amendment  
11 be referred to the first regular legislative session convening after the  
12 next succeeding general election of members of the assembly, and, in  
13 conformity with section 1 of article 19 of the constitution, be  
14 published for 3 months previous to the time of such election.