

5426

2011-2012 Regular Sessions

I N S E N A T E

May 19, 2011

Introduced by Sens. GRIFFO, ADAMS -- read twice and ordered printed, and
when printed to be committed to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 9 of article 1 of the constitution, in
relation to applying certain gaming funds in New York state to commu-
nity development

1 Section 1. Resolved (if the Assembly concur), That section 9 of arti-
2 cle 1 of the constitution be amended by adding a new subdivision 3 to
3 read as follows:
4 3. NOTWITHSTANDING SUBDIVISION ONE OF THIS SECTION, ANY COUNTY WITHIN
5 THE STATE HAVING A POPULATION OF LESS THAN FIVE HUNDRED THOUSAND MAY, BY
6 AN APPROVING VOTE OF THE MAJORITY OF QUALIFIED ELECTORS IN SUCH COUNTY
7 VOTING ON A PROPOSITION THEREFOR SUBMITTED AT A GENERAL OR SPECIAL
8 ELECTION, AUTHORIZE, SUBJECT TO STATE LEGISLATIVE SUPERVISION AND
9 CONTROL, THE CONDUCT OF GAMES OF CHANCE NOT PROVIDED FOR IN SUBDIVISIONS
10 ONE OR TWO OF THIS SECTION IN FACILITIES THAT BOTH CONDUCT LIVE HORSE
11 RACING AND ACCEPT PARI-MUTUEL WAGERING ON HORSE RACING AS AUTHORIZED
12 PURSUANT TO SUBDIVISION ONE OF THIS SECTION. NO SUCH AUTHORIZATION IS
13 VALID WHERE PRECLUDED BY A PRIOR NEGOTIATED AND APPROVED COMPACT BETWEEN
14 THE STATE AND SOVEREIGN INDIAN NATION. THE STATE SHALL DERIVE A REASON-
15 ABLE REVENUE FOR THE SUPPORT OF GOVERNMENT FROM GAMES AUTHORIZED BY THIS
16 SUBDIVISION. IN ADDITION, A PORTION OF THE PROCEEDS FROM GAMES AUTHOR-
17 IZED BY THIS SUBDIVISION SHALL BE APPLIED TO OR IN AID OR SUPPORT OF
18 PROGRAMS TO PROMOTE THE COMMUNITY DEVELOPMENT OF THE COUNTY AND REGION
19 AND SERVICES FOR AND TREATMENT OF PERSONS ADDICTED TO GAMBLING. UNLESS
20 PERMITTED BY STATE LAW, NO COUNTY SHALL HAVE THE POWER TO PASS LAWS OR
21 OTHERWISE REGULATE GAMES AUTHORIZED PURSUANT TO THIS SUBDIVISION. THE
22 LEGISLATURE SHALL PASS APPROPRIATE LAWS TO ESTABLISH AND MAINTAIN THEIR
23 SUPERVISION AND CONTROL OF THE CONDUCT OF GAMES OF CHANCE AUTHORIZED
24 PURSUANT TO THIS SECTION, INCLUDING BUT NOT LIMITED TO LAWS TO DESCRIBE
25 THE GAMES OF CHANCE THAT MAY BE CONDUCTED, TO PREVENT OFFENSES AGAINST
26 ANY OF THE PROVISIONS OF THIS SUBDIVISION, TO EFFECTUATE THE PURPOSES OF

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

LBD89099-01-1

1 THIS SUBDIVISION, TO PREVENT PARTICIPATION BY CRIMINAL AND OTHER UNDE-
2 SIRABLE ELEMENTS, TO PREVENT THE DIVERSION OF FUNDS FROM THE PURPOSES
3 AUTHORIZED HEREUNDER, AND TO ESTABLISH A METHOD BY WHICH A COUNTY MAY
4 RESCIND OR REVOKE THE AUTHORIZATION PROVIDED FOR IN THIS SUBDIVISION.

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