

5426

2011-2012 Regular Sessions

I N   S E N A T E

May 19, 2011

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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.

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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.