

GOVERNOR'S PROGRAM BILL
2013

MEMORANDUM

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to subdivision 1 of section 9 of article 1 of the constitution, in relation to casino gambling in the state

Purpose:

To provide for the authorization of commercial casino gambling in New York State.

Summary of provisions:

Article 1, Section 9 of the State Constitution would be amended to authorize no more than eight and no fewer than three casinos to be regulated by the State.

Existing Law:

Article 1, Section 9 of the State Constitution generally proscribes all gambling except for four exceptions. These four exceptions are: (1) pari-mutuel wagering on horse racing; (2) State lotteries; (3) bingo conducted by certain charitable, non-profit and religious organizations; and (4) games of chance conducted by these same charitable, non-profit, and religious organizations.

Justification:

Casino gaming has significant potential to be a major economic engine for New York State and the fact is that gaming already exists throughout the State but the State is unable to fully capitalize on it. Native Americans have five casinos and there are nine racinos at the racetracks in New York State. New York is also surrounded by gambling. States and Canadian provinces just across its borders have legalized casino gambling, and they are the beneficiaries of the tourism, revenue, and good jobs that could be in New York.

It is estimated that over \$1 billion of economic activity can be generated from casino gaming and passing a Constitutional amendment would allow New York to maximize

opportunities. Limiting casino gambling to no more than seven facilities guarantees there will not be an excessive proliferation of casinos within New York State.

Legislative History:

In 2012, this resolution passed both houses of the Legislature and if approved this year, will go to the public for a vote in the general election to be held in 2013.

Budget Implications:

There are no immediate budget implications since the Constitutional amendment cannot go into effect until January 1, 2014. Future budget implications would depend on the enabling legislation that would accompany passage of the amendment.

Effective Date:

Constitutional amendments require the passage of a concurrent resolution by two separately elected Legislatures and subsequent approval by the voters. As a result, the amendment could not take effect until January 1, 2014.