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LC02854  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2006**

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**J O I N T   R E S O L U T I O N**

**TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF  
AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT  
CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND  
OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE**

Introduced By: Representatives Williamson, Moura, Williams, Malik, and Palumbo

Date Introduced: March 23, 2006

Referred To: House Finance

1           WHEREAS, The General Assembly has sought to empower the citizens of the State of  
2 Rhode Island with the right to determine by a vote of the people on the question whether to  
3 authorize the creation and operation of a resort casino in Rhode Island that would be competitive  
4 with resort casinos in other jurisdictions; and

5           WHEREAS, The Rhode Island Supreme Court has ruled that, without an amendment to  
6 the Constitution, a resort casino in Rhode Island cannot be privately owned and operated; and

7           WHEREAS, The right of the citizens of Rhode Island to vote on the question whether a  
8 privately owned and operated resort casino shall be permitted in this state remains a question of  
9 great public importance and the General Assembly believes that the resolution of the issue should  
10 rest with the citizenry and not the Courts, the Executive, or any other third party; and

11           WHEREAS, It is in the interests of all sides in the public-policy debate, it is in the  
12 interest of legislative and judicial economy, and it is in fairness to the citizens of this state that the  
13 constitutionality and authorization of a resort casino in West Warwick, Rhode Island, to be  
14 privately owned and operated in association with the Narragansett Indian Tribe, be finally  
15 decided by the vote of the citizens of Rhode Island in a local and statewide referendum at the next  
16 statewide general election; and

17           WHEREAS, In order to ensure that the resort casino to be authorized in West Warwick,  
18 Rhode Island will be supported by sufficient investment to enable it to compete effectively with

1 resort casinos in nearby jurisdictions; and in light of the substantial level of capital investment  
2 required to build such a facility, which investment is considerably higher than the investment for  
3 the existing video-lottery facilities in this state; and in order to secure the jobs and other economic  
4 benefits to be generated by the proposed West Warwick resort casino, it is necessary to establish  
5 a tax rate and structure different from the existing tax rate and structure for the video-lottery  
6 facilities in this state; and

7 WHEREAS, The General Assembly believes that the property-tax burden on the citizens  
8 of this state has reached a level that requires relief, and therefore the General Assembly believes  
9 that if the citizens approve the West Warwick resort casino, the tax proceeds from that resort  
10 casino should be dedicated to property-tax relief for the citizens of the state; and

11 WHEREAS, The majority of all members elected to each house of the general assembly  
12 are committed to granting to the electors of Rhode Island the right to vote on the establishment of  
13 a resort casino and games therein in West Warwick, Rhode Island, with such resort casino to be  
14 privately owned and operated in association with the Narragansett Indian Tribe, and to ensure that  
15 such resort casino and games therein being voted on be constitutional under the laws of Rhode  
16 Island; and, now, therefore, be it

17 RESOLVED, That a majority of all members elected to each house of the general  
18 assembly voting therefore, an amendment to Article VI of the Constitution of the state shall be  
19 proposed to the qualified electors of the state for their approval in accordance with the provisions  
20 of Article XIV of the Constitution, and upon such approval, new section 23, set forth below, be  
21 added to and included in Article VI of the Constitution; and that said proposition of amendment  
22 shall be submitted to the electors for their approval or rejection at the next statewide general  
23 election, and said proposition of amendment shall appear on the ballots as the first referendum  
24 question posed and shall be preceded by the following explanation and space to "approve" or  
25 "reject", all of which shall be in substantially the following form:

26 1. CONSTITUTIONAL AMENDMENT – RESORT CASINO  
27 Approval of this amendment will authorize a resort casino in the Town of West Warwick,  
28 to be privately owned and operated in association with the Narragansett Indian Tribe, with tax  
29 proceeds from the casino being dedicated to property-tax relief.

30 APPROVE \_\_\_\_\_

31 REJECT \_\_\_\_\_

32 A new section 23 shall be added to and included in Article VI of the Constitution to read  
33 as follows:

34 Section 23. Resort Casino - - Notwithstanding sections 15 and 22 of this Article, and

1 provided that a majority of the electors of the Town of West Warwick have voted to approve this  
2 amendment, the establishment of a resort casino and games located therein is authorized in the  
3 Town of West Warwick. The resort casino shall be privately owned and privately operated by a  
4 business entity established pursuant to Rhode Island law by the Narragansett Indian Tribe and its  
5 chosen partner, which entity shall be legally distinct from the Narragansett Indian Tribe and shall  
6 be subject to regulation and taxation by the State of Rhode Island. The per annum tax rate shall be  
7 established by the general assembly with a minimum tax rate of twenty-five percent (25%), and a  
8 maximum tax rate of forty percent (40%), of net casino gaming income with all of such tax  
9 proceeds to be dedicated to property-tax relief, as prescribed by statute.

10           RESOLVED, That the voting places in the several cities and town shall be kept open  
11 during the hours required by law for voting therein for general officers of the state; and be it  
12 further

13           RESOLVED, That the secretary of state shall cause said proposition of amendment to be  
14 published as a part of this resolution in the newspapers of the state prior to the date of the said  
15 meetings of the said electors; and said proposition shall be inserted in the warrants or notices to  
16 be issued previous to said meetings of the electors for the purpose of warning the town, ward, or  
17 district meetings, and said proposition shall be read by the town, ward, or district clerks to the  
18 electors in the town, ward, or district meetings to be held as aforesaid; and be it further

19           RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be  
20 warned, and the list of voters shall be canvassed and made up, and the said town, ward, and  
21 district meetings shall be conducted in the same manner as now provided by law for the town,  
22 ward, and district meetings for the election of general officers of the state.

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