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LC03261
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2006

J O I N T R E S O L U T I O N

TO APPROVE, PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A DESTINATION RESORT CASINO IN RHODE ISLAND, TO BE PRIVATELY OWNED AND PRIVATELY OPERATED, SELECTED BY A COMPETITIVE PROCESS, AND REGULATED AND TAXED BY THE STATE

Introduced By: Representatives Ucci, Voccola, Smith, Gemma, and McCauley

Date Introduced: May 23, 2006

Referred To: House Finance

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

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

8 WHEREAS, Nearby states such as Connecticut and Massachusetts have approved or may
9 soon approve gaming operations that attract substantial spending by residents of this state, that
10 divert substantial revenue from existing video lottery facilities in Rhode Island, and that divert
11 substantial tax revenue from this state; and

12 WHEREAS, Certain municipalities have expressed an interest in hosting a destination
13 resort casino, and the voters should be entitled at statewide and local referenda in the next general
14 election to determine whether a destination resort casino should be established in this state; and

15 WHEREAS, The General Assembly acknowledges that the establishment of a destination
16 resort casino would generate substantial tax revenue and other economic benefits for Rhode
17 Island, including the creation of jobs and the stimulation of capital investment; and

18 WHEREAS, The General Assembly believes that a competitive selection process will

1 determine the most advantageous location for a destination resort casino, identify the most
2 qualified owner and operator thereof, establish the most appropriate tax rate for the gaming
3 revenues therefrom, and best stimulate the investment of capital and creation of jobs by a private
4 developer; and

5 WHEREAS, The majority of all members elected to each house of the General Assembly
6 is committed to granting to the electors of Rhode Island the right to vote on the establishment of a
7 destination resort casino in Rhode Island, to be privately owned and privately operated by an
8 entity established pursuant to Rhode Island law, selected by a competitive process, and regulated
9 and taxed by the State of Rhode Island, and ensuring that such destination resort casino shall be
10 constitutionally established under the laws of Rhode Island; now, therefore be it

11 RESOLVED, That by vote of a majority of all members elected to each house of the
12 General Assembly, an amendment to Article VI of the Constitution of the state shall be proposed
13 to the qualified electors of the state for their approval in accordance with the provisions of Article
14 XIV of the Constitution, and upon such approval, new Section 23, set forth below, be added to
15 and included in Article VI of the Constitution, and that said proposition of amendment shall be
16 submitted to the electors for their approval or rejection at the November 2006 general election,
17 and said proposition of amendment shall appear on the ballots as the first referendum question
18 posed and shall be preceded by the following explanation and space to "approve" or "reject", all
19 of which shall be in substantially the following form:

20 1. CONSTITUTIONAL AMENDMENT – DESTINATION RESORT CASINO

21 Approval of this amendment will authorize a single destination resort casino to be located
22 in a municipality that approves such destination resort casino, to be privately owned and privately
23 operated, selected by a competitive process, and regulated and taxed by the State of Rhode Island.

24 APPROVE_____

25 REJECT_____

26 A new Section 23 shall be added to and included in Article VI of the Constitution of the
27 State of Rhode Island to read as follows:

28 Section 23. Destination Resort Casino. Notwithstanding the provisions of Sections 15 and
29 22 of this Article, the establishment of a single destination resort casino is hereby authorized in a
30 host municipality, provided that a majority of the electors voting in such municipality, in a local
31 referendum in the November 2006 general election, has voted to approve such destination resort
32 casino. The single destination resort casino shall be privately owned and privately operated by an
33 entity established pursuant to Rhode Island law, shall be selected by a competitive process, and
34 shall be subject to regulation and taxation by the State of Rhode Island; and be it further

1 RESOLVED, That in furtherance of the statewide referendum on said proposition of
2 amendment, and notwithstanding any other provision of Rhode Island law pertaining to local
3 referenda, a majority of all members elected to each house of the General Assembly hereby
4 authorizes a local referendum or local referenda in a municipality or municipalities in accordance
5 herewith on the following question: "Shall a destination resort casino be established in this
6 municipality?"; and be it further

7 RESOLVED, That any municipality desiring to be considered in the November 2006
8 general election as a location for a destination resort casino shall adopt a resolution of the
9 municipality for a local referendum in the November 2006 general election posing the question
10 set forth above; and the local board of canvassers of such municipality shall then forthwith certify
11 said local referendum question to the secretary of state on or before August 9, 2006, shall submit
12 said local referendum question to the electors of the municipality in the November 2006 general
13 election, and shall then certify the results of the local referendum election to the secretary of state;
14 and be it further

15 RESOLVED, That the voting places in the several cities and towns shall be kept open
16 during the hours required by law for voting therein for general officers of the state; and be it
17 further

18 RESOLVED, That the secretary of state shall cause said proposition of amendment to be
19 published as a part of this resolution in the newspapers of the state prior to the date of the said
20 meetings of the said electors; and said proposition and any local referenda questions adopted
21 hereunder shall be inserted in the warrants or notices to be issued previous to said meetings of the
22 electors for the purpose of warning the town, ward, or district meetings, and said proposition and
23 any local referenda questions adopted hereunder shall be read by the town, ward, or district clerks
24 to the electors in the town, ward, or district meetings to be held as aforesaid; and be it further

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

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