

Senate Constitutional Amendment No. 11

RESOLUTION CHAPTER 142

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to gambling.

[Filed with Secretary of State September 28, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

SCA 11, Burton. Gambling.

The California Constitution provides that the Legislature has no power to authorize lotteries, and shall prohibit the sale of lottery tickets in the state, but specifically authorizes the establishment of the California State Lottery. The California Constitution provides that the Legislature may provide for the regulation of horse racing and wagering on the results and may authorize cities and counties to provide for bingo games, but only for charitable purposes. The California Constitution also provides that the Legislature has no power to authorize, and shall prohibit, casinos of the type currently operating in Nevada and New Jersey.

This measure would provide that, notwithstanding the provisions of the California Constitution prohibiting lotteries and casinos of the type operating in Nevada and New Jersey, the Governor is authorized to negotiate and conclude compacts, subject to ratification by the Legislature, for the operation of slot machines and for the conduct of lottery games, and banking and percentage card games by federally recognized Indian tribes on Indian lands in California in accordance with federal law. The measure would also expressly permit slot machines, lottery games, and banking and percentage card games to be conducted and operated on tribal lands subject to these compacts.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1999–2000 Regular Session commencing on the seventh day of December 1998, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 19 to Article IV thereof to read:

SEC. 19. (a) The Legislature has no power to authorize lotteries, and shall prohibit the sale of lottery tickets in the State.

(b) The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results.

(c) Notwithstanding subdivision (a) the Legislature by statute may authorize cities and counties to provide for bingo games, but only for charitable purposes.

(d) Notwithstanding subdivision (a), there is authorized the establishment of a California State Lottery.

(e) The Legislature has no power to authorize, and shall prohibit casinos of the type currently operating in Nevada and New Jersey.

(f) Notwithstanding subdivisions (a) and (e), and any other provision of state law, the Governor is authorized to negotiate and conclude compacts, subject to ratification by the Legislature, for the operation of slot machines and for the conduct of lottery games and banking and percentage card games by federally recognized Indian tribes on Indian lands in California in accordance with federal law. Accordingly, slot machines, lottery games, and banking and percentage card games are hereby permitted to be conducted and operated on tribal lands subject to those compacts.

