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A Gamble on Gambling: Let Kentuckians Decide to Pull the Lever or Not (/full-blog/2012/06/gamble-on-gambling-let-kentuckians.html)

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Image Source (<http://texasgovvote.com/sites/default/files/gambling.jpg>)

By: John Wathen, Staff Member

On February 23, 2012, the Kentucky Senate, in a 21-16 vote, rejected Senate Bill 151 regarding a constitutional amendment legalizing gambling in the Commonwealth.[1] This was well short of the 23 votes required for passage of the amendment, as required by the Kentucky State Constitution.[2] The amendment

would allow no more than seven casinos in the state, require that casinos be at least 60 miles from any licensed horse track, and included a statement requiring tax revenues produced from gambling be used for “purposes including job creation, education, human services, health care, veterans programs, local governments, public safety, and the support of the horse industry.”[3] If the bill had passed the Senate, it would then have been proposed to the public at large through referendum, requiring a majority vote for passage, as required by the Kentucky Constitution.[4]

Those in opposition to the amendment have argued that tax revenues from casinos are essentially regressive in nature, coming mainly from those individuals with less disposable income and thus with more to lose from a bad day at the tables.[5] Additionally, they reference economists who have looked to other casino states, claiming that casinos are not reliable revenue streams and every dollar lost at a casino is a dollar that could have been spent on other products and services.[6] They argue that a dollar spent at a casino is not really revenue generated, but simply a reapportionment of revenue from other, more productive industries.[7] There is also a general concern for the high number of “at-risk” gamblers in the state, and social conservatives have expressed a belief that a number of negative collateral effects, such as poverty and increased crime, will accompany expanded gambling.[8]

Proponents of the amendment, including Kevin Flanery, president of Churchill Downs, have long argued that the legalization of gambling is essential to Kentucky’s flagship horse-racing industry.[9] They point to decreased track attendance and smaller purses as a sign that horseracing in Kentucky is in decline, and claim that tracks here simply cannot compete with less-regulated horse parks in other states.[10] Supporters also argue that, much like the lottery, casino gambling would lead to increased state revenues for education, job creation, and other beneficial programs facing cutbacks in the face of the economic downturn.[11]

Across the state, the issue of expanded gambling has long been a front-page contentious issue, with no clear consensus emerging. However, Kentuckians seem united on at least one issue; let the people decide with a referendum. According to two major polls, 80 percent of Kentuckians want a direct vote on gambling regulation.[12] With such overwhelming numbers, the General Assembly should pass the amendment and let the people decide once and for all the future of gambling in the Commonwealth.

[1] Gregory A. Hall, *Senate Rejects Casino Gambling Amendment*, *Courier Journal*, Feb. 23, 2012, http://pqash.pqarchiver.com/courier_journal/access/2593895571.html?FMT=FT&FMTS=ABS FT&type=current&fnac=01bcb2d68207b328b3f9076617&date=Feb+23%2C+2012&author=&pub=&desc=Senate+rejects+casino+gambling+amendment.

[2] *Id.*

[3] S.B. 151, Reg. Sess. (Ky. 2012).

[4] *Id.*

[5] *Time to Oppose Senate Bill 151, Bad Bet for Kentucky*, Catholic Conference of Ky. Blog (Feb. 19, 2012), <http://ceky.org/2012/02/time-to-oppose-senate-bill-151-bad-bet-for-kentucky/>.

[6] John Cheves, *Casinos No Cure-all for State Budgets*, *Economists Say*, Jan. 16, 2012, <http://www.kentucky.com/2012/01/16/2030235/casinos-no-cure-all-for-state.html#storylink=misearch>

[7] *Id.*

[8] *Supra* note 5.

[9] Hall, *supra* note 1.

[10] *Id.*

[11] Cheves, *supra* note 6.


[12] Bradford Cummins, *The Winners and Losers of SB 151*, *The Paulick Report*, Feb. 24, 2012, <http://www.paulickreport.com/8080/news/ray-s-paddock-the-winners-and-losers-of-sb-151/>.

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