

# RESOLUTION OF THE CITY COUNCIL ✓

No. 36

Approved January 23, 1973

WHEREAS, tens of thousands of dollars from residents of the State of Rhode Island are being spent in the Commonwealth of Massachusetts and the State of Connecticut in the purchases of tickets for State Lotteries, and

WHEREAS, the provisions of the Constitution of the State of Rhode Island and Providence Plantations prohibit a State conducted lottery, and the amending process to the said constitution to permit such lottery is so cumbersome that it could take two years to institute such a lottery, and

WHEREAS, the question of constitutionality of such a lottery would be avoided by basing the betting process on the skill of the individual who would purchase a lottery card in choosing the winners, such as the principles employed in horse race betting and stock market purchases, and would avoid the constitutional entanglements of which there is legal precedent of such a system in Rhode Island Law, and

WHEREAS, betting systems now employed in New York State reveal some salient facts that should be recognized by the Government of the State of Rhode Island, such as a report revealing that the average race track bettor is age fifty and his skill card counterpart is only twenty-nine years of age, which demonstrates that race track attendance and betting is on the downswing, while skill oriented games are ever increasing in popularity with the younger generation, which could bear with the prediction if the State of Rhode Island continues to rely on race track proceeds for revenue, within ten years, that revenue would be negligible, and

WHEREAS, the City of Providence should initiate this "Skill Game Authority" for sorely needed new sources of revenue to relieve the tax burden on its property owners, in anticipation of the adoption of this betting concept, which could net the City an additional two and one-half to three million dollars in annual revenue which could be utilized in many areas, and

WHEREAS, the legal acceptance of this proposal would have a two-fold effect; namely, the City would gain much needed revenue without resorting to another property tax increase; organized crime would be dealt a serious blow in their betting rackets which siphon off millions of dollars annually to support underworld activities,

NOW, THEREFORE, BE IT RESOLVED, that upon the adoption of this Resolution, the City Solicitor is hereby directed to prepare an Act, incorporating the provisions of this Resolution, and cause the said Act to be introduced into the <sup>CURRENT</sup> ~~next~~ session of the General Assembly and to urge its passage. 2.2. 1-11-73

IN CITY  
COUNCIL

OCT 5 1972

FIRST READING  
REFERRED TO COMMITTEE ON

.....FINANCE.....  
*William H. Matthews*  
CLERK

THE COMMITTEE ON  
.....FINANCE..... "to-be-continued"  
Recommends

*William H. Matthews*  
First Deputy City Clerk Clerk

*Council President Haydon*

IN CITY COUNCIL

JAN 18 1973

READ and PASSED

*William H. Matthews*  
President  
*William H. Matthews*  
Clerk

APPROVED

JAN 23 1973

*Joseph H. Seery*  
MAYOR

City of Providence, R. I.

Department of City Clerk

**MEMORANDUM**

DATE:

October 12, 1972

TO:

City Solicitor McOsker

SUBJECT:

RESOLUTION ESTABLISHING A "SKILL GAME AUTHORITY" FOR  
THE CITY OF PROVIDENCE, RHODE ISLAND

CONSIDERED BY:

Committee on Finance

DISPOSITION:

Attached is copy of subject Resolution referred to  
you for study and report as to the possibility of  
it being upheld by the courts of our State as to  
its legality.

*Vincent Vespa*  
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: November 28, 1972

TO: City Solicitor. McOsker

SUBJECT: RESOLUTION ESTABLISHING A "SKILL GAME AUTHORITY FOR THE CITY OF PROVIDENCE, RHODE ISLAND".

CONSIDERED BY: Committee on Finance

DISPOSITION:

On October 12, 1972, a memorandum was transmitted to you on the above subject for study and report as to the possibility of the subject Resolution being upheld by the courts of our State as to its legality.

The Committee on Finance has not had the benefit of a response on your report as of this date. Will you, therefore, kindly honor this second request.

*V. Vincent Vespa*  
City Clerk

ROBERT J. MCOSKER

CITY SOLICITOR

RONALD H. GLANTZ

DEPUTY CITY SOLICITOR

JOHN J. CAPPELLI

JOHN CAPPELLO

STEVEN S. SABER

ASSISTANTS

JOSEPH A. FLORIO

SPECIAL COUNSEL



MAYOR

JOSEPH A. DOORLEY, JR.

## LAW DEPARTMENT

CITY HALL, PROVIDENCE

RHODE ISLAND 02903

421-7740 EXT. 381

AREA CODE 401

CLAIMS ADJUSTER

December 13, 1972.

Robert F. Lynch, Chairman,  
Committee on Finance,  
c/o Vincent Vespia, City Clerk,  
City Hall,  
Providence, R.I.

Dear Bob:

**RE: RESOLUTION ESTABLISHING A SKILLED GAME  
AUTHORITY FOR THE CITY OF PROVIDENCE,  
RHODE ISLAND**

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In reply to your memo on the above subject, it is my considered opinion that if the General Assembly did in fact acquiesce in the request of the City Council to create a "Skilled Game Authority", it would violate the Rhode Island Constitution.

From the contents of the resolution and the theory behind the adoption of such an Authority, it would appear to me that this would violate the ban existing in our State Constitution against lotteries.

I do not feel that the City Council should request authority from the General Assembly to create such a body, as suggested, which in my opinion would be illegal.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert J. McOSKER".

ROBERT J. MCOSKER,  
CITY SOLICITOR

RJM:RAF