

Bills to Authorize Table Games Closer to Law

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Two pieces of legislation needed to make table games a reality at Delaware's racinos are progressing quickly through the legislative process.

By a vote of 18 to 1, the Senate passed Senate Bill 188, which would enable authorities to arrest and prosecute people who cheat while playing table games.

The second bill, House Bill 310, which would authorize table games at Delaware's licensed gambling venues, passed in the House following a spirited deliberation. Part of the bill would create an estimated 40 state positions to regulate the new form of gaming.

A total of 11 amendments were offered to HB 310 in the House. The first amendment, sponsored by Rep. Tom Kovach (R-Brandywine Hundred South), drew the most heated debate. Rep. Kovach's House Amendment 1 would have barred Delaware lawmakers, or their families, from getting any of the state jobs created by the legislation.

Rep. James Johnson (D-Jefferson Farms) led the opposition to the amendment, calling the exclusion "arbitrary." He said no member of his family should be denied an opportunity because they happened to be related to him. Rep. Kovach countered, saying the amendment was needed to prevent any appearance of impropriety the hiring of a lawmaker's family member would create.

In the end, House Amendment 1 was soundly defeated along party lines, with Republicans favoring the amendment. A scaled down amendment, applying only to legislators themselves, was later added to the bill.

Another amendment that proved to be controversial was offered by State Rep. Greg Lavelle (R-Sharples). Under Rep. Lavelle's provision (House Amendment 9), the formula for dividing table games' revenue between the state and the racinos would have expired in three years, forcing the General Assembly to revisit the issue. HB 310 calls for the state to get 29.4% of the proceeds, with 66.1% going to the table game operators and the remaining 4.5% earmarked to bolster horseracing purses.

House Amendment 9 was defeated, with only Reps. Lavelle, Kovach, Dan Short (R-Seaford), and Deborah Hudson (R-Fairthorne), voting in favor of it. "I thought this would have had a lot more support," Rep. Lavelle said, adding that he believed it was prudent to re-consider the split after the state had three years of data on which to base any potential re-formulation.

The House also shot down an amendment sponsored by Rep. Hudson (House Amendment 4) that sought to give the state a greater share of the table game proceeds once the racinos had reached specified earnings targets.

Rep. William Oberle (R-Beecher's Lot) was more successful with his House Amendment 2, which would set aside at least \$250,000 of the state's proceeds to treat and educate compulsive gamblers and their families.

Ultimately, HB 310, with House Amendments 2, 5, 6, 7, 8, 10 & 11, was narrowly passed in the House on a vote of 27 to 5, with six "not voting" and three "absent." As a three-fifths bill, the measure needed at least 25 votes to pass.

Both HB 310 and SB 188 will move to the opposite chamber of the General Assembly for consideration before the end of the month. If passed and enacted, as expected, table game operations could start at some venues by late May.

Currently, only Delaware's three horse racing tracks - Dover Downs, Delaware Park and Harrington Raceway – would be authorized to operate table games.