

April 22, 2009

Honorable Colorado Senate
67th General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen,

I am filing with the Secretary of State Senate Bill 09-050, "Concerning a Requirement that at Least One Member of the Limited Gaming Control Commission be a Resident of a Locality in which Limited Gaming Takes Place." I vetoed this bill as of 2:23 p.m. today, and this letter sets forth my reasons for doing so.

When limited gaming was first proposed in Colorado many citizens had concerns that with gaming would come crime and corruption. As the General Assembly stated in the Limited Gaming Act of 1991, the success of limited gaming depends on public confidence "that gaming is free from criminal and corruptive elements." As a result, numerous safeguards were included in our Constitution and statutes. One of these safeguards was the creation of the Colorado Limited Gaming Control Commission, which is responsible for promulgating rules and regulations that govern limited gaming in Colorado. To eliminate conflicts of interest, Commission members and their family members cannot have any interest in any business involved in or with limited gaming. Moreover, Commission members cannot have any interest in property in any county where limited gaming is permitted.

Senate Bill 09-050 would require one of the five members who make up the Colorado Limited Gaming Control Commission to be a registered elector of either Gilpin County or Teller County, counties in which limited gaming is permitted. Moreover, under the bill this Commission member could own property in Gilpin County or Teller County. Commission members are in positions of public trust. Allowing a Commission member to own property in the counties that have limited gaming creates an inherent conflict of interest or at a minimum, the appearance of a conflict. Having a Commission member who could be in a position to benefit financially from decisions made by the Commission is poor public policy. In order to ensure public confidence in the integrity of the Commission and the regulation of gaming in Colorado, the current restrictions on who can serve on the Commission should remain unchanged.

Accordingly, I have vetoed this bill.

Sincerely,

Bill Ritter, Jr.
Governor