

STATE OF OHIO
Executive Department

OFFICE OF THE GOVERNOR

Columbus

VETO MESSAGES

**STATEMENT OF THE REASONS FOR THE VETO OF ITEMS IN
AMENDED SUBSTITUTE HOUSE BILL 386**

JUNE 11, 2012

Pursuant to Article II, Section 16 of the Ohio Constitution, which states that the Governor may disapprove any items in a bill making an appropriation of money, I hereby disapprove the following items contained in Amended Substitute House Bill 386 and set forth below the reasons for so doing. The text I am disapproving is identified in this message by reference to the corresponding page and boxed text of the bill.

ITEM NUMBER 1

On page 137, delete the boxed text.

Use of the term “casino” by a Video Lottery Terminal Sales Agent

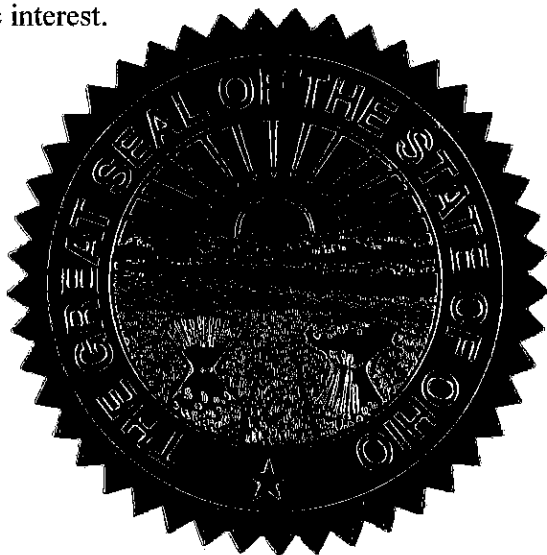
Article 15 Section 6 (C) of the Ohio Constitution clearly defines a “casino facility” to mean “all or any part of any one or more of the following properties (together with all improvements situated thereon) in Cleveland, Cincinnati, Toledo, and Franklin County” and only authorizes casino gaming at the four specified facilities. While the bill makes clear that only those four facilities may lawfully call themselves “casinos” and that horse racing tracks that are also video lottery terminal sales agents are not “casinos,” it then goes on to provide an exception for any horse racing track that, prior to November 3, 2009, referred to itself as a “casino” in an advertisement. Based on the definition in the Ohio Constitution, a racetrack with or without video lottery terminals does not meet the definition of a casino facility. Consequently, allowing any racetrack to call itself a casino under any circumstance would likely be unconstitutional and has the potential to create confusion among the public. Therefore, the veto of this item is in the public interest.

ITEM NUMBER 2

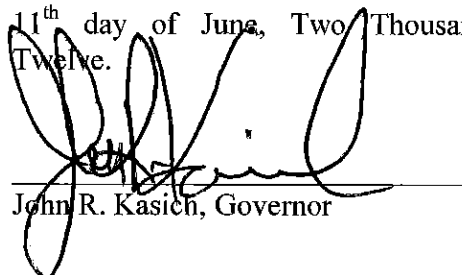
- On page 1, delete the boxed text "3772.032".
- On page 97, delete the boxed text.
- On page 98, delete the boxed text.
- On page 99, delete the boxed text.
- On page 119, delete the boxed text.
- On page 120, delete the boxed text.
- On page 165, delete the boxed text "3772.032".

Permanent Joint Committee on Gaming and Wagering Review of Lottery Commission Fees:

Previously, the Permanent Joint Committee on Gaming and Wagering did not have the authority to review any aspect of the Lottery Commission. The Ohio Lottery Commission's fees are currently reviewed by the Commission, the Joint Committee on Agency Rule Review, and the Controlling Board. Allowing the Permanent Joint Committee on Gaming and Wagering to review all Lottery fees as well would add another unnecessary layer of government process and expense to a program that provides additional funding for Ohio public schools. Therefore, the veto of this item is in the public interest.



IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus this 11th day of June, Two Thousand Twelve.



John R. Kasich, Governor

This will acknowledge the receipt of a copy of this veto Message of Amended Substitute House Bill 386 that was disapproved in part by Governor John R. Kasich on June 11, 2012.


Name and Title of Officer

June 11, 2012 3:36 p.m.
Date and Time of Receipt