



North Carolina Family Policy Council

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Press Release

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North Carolina Family Policy Council Joins Lawsuit Challenging Lottery Passage

Raleigh—The North Carolina Family Policy Council is one of the plaintiffs in a lawsuit filed today in Wake County Superior Court that challenges the legality of how the General Assembly approved lottery legislation this year. Article II, Section 23 of The North Carolina Constitution directs,

“No law shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each house of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal.”

Despite the fact that the lottery is expected to generate over \$1 billion annually in gross revenue, at least a third of which would come from explicit and implicit taxes upon the people of the State, legislative leaders in both the State House and State Senate failed to follow the constitutionally mandated process of holding the second and third reading votes on separate days when passing House Bill 1023—North Carolina State Lottery Act. Additionally, the third reading vote in both chambers was taken by voice vote and the “yeas” and “nays” were not recorded in the journal, as required by the Constitution.

Council president Bill Brooks, released the following statement about this legal action:

“The North Carolina Family Policy Council is a plaintiff in this lawsuit because it defends the integrity of our state constitution. Legislative leaders took a gamble when they decided HB 1023 was not subject to Article II, Section 23, of the North Carolina Constitution and forced the lottery through the General Assembly. This is especially troubling when we consider the economic and social harm that state-sponsored gambling would bring to our state. We are simply asking the court to hold the legislature accountable for its actions and to require the General Assembly to follow the Constitution when making law. If the Legislature is allowed to run roughshod over the Constitution in this instance, it will only happen more in the future.”

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The North Carolina Family Policy Council is a nonpartisan, nonprofit organization providing research and education on public policy issues that affect the family.