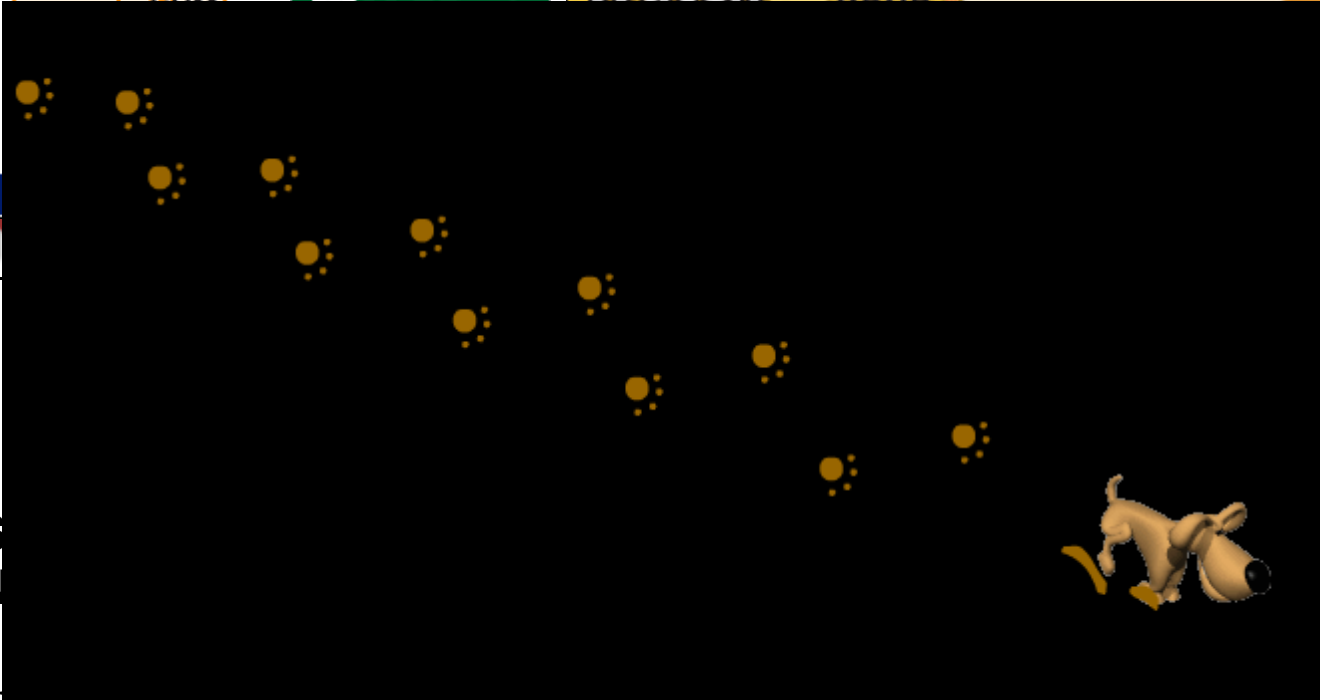
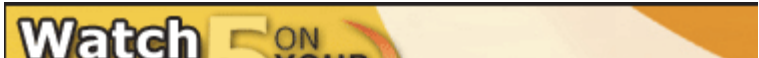




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The Associated Press
7/7/2004, 9:57 a.m. ET

ALBANY, N.Y. (AP) -- The legislation authorizing slot machine-like video lottery terminals in New York was declared unconstitutional Wednesday by a midlevel state appeals court.

While the Appellate Division of state Supreme Court ruled unanimously that Indian-owned gambling casinos could legally be operated in New York and that the state could be part of the multistate Mega Millions game, it ruled 5-0 that the legislation authorizing VLTs was illegal.

There was no immediate word from Gov. George Pataki on whether the ruling would be appealed to New York's highest tribunal, the state Court of Appeals.

Video lottery terminals are already operating at several Indian-owned casinos and horse racing tracks across the state.

Cornelius Murray, the attorney who led the challenge to the state's law, said he would appeal the question of the constitutionality of the Indian-owned casinos, but was gratified VLTs were struck down.

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"They saw through the sham, that VLTs were masquerading as a lottery but were really designed to bail out the harness track industry and in so doing diverted money that should go to purses," the Albany-based lawyer said.

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