

SENATE BILL 4

C7

CONSTITUTIONAL AMENDMENT

8lr0261
CF HB 4

By: **The President (By Request – Administration)**

Introduced and read first time: October 29, 2007

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: November 1, 2007

CHAPTER _____

1 AN ACT concerning

2 **Video Lottery Terminals – Authorization and Limitations**

3 FOR the purpose of adding a new article to the Maryland Constitution to authorize
4 video lottery terminal gaming in the State for the primary purpose of providing
5 funds for public education; limiting the number of licenses that the State may
6 issue to operate video lottery terminals; limiting the number of locations at
7 which video lottery terminal facilities may be located; limiting the number of
8 video lottery terminals that may be authorized in the State; providing that the
9 statutory addition or expansion of forms of commercial gaming by the General
10 Assembly is prohibited except as provided by this Act; defining a certain term;
11 and submitting this amendment to the qualified voters of the State of Maryland
12 for their adoption or rejection.

13 BY proposing an addition to the Maryland Constitution
14 New Article XIX – Video Lottery Terminals
15 Section 1

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, (Three-fifths of all the members elected to each of the two Houses
18 concurring), That it be proposed that the Maryland Constitution read as follows:

19 **ARTICLE XIX – VIDEO LOTTERY TERMINALS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 1.

2 (A) THIS ARTICLE DOES NOT APPLY TO:

3 (1) LOTTERIES CONDUCTED UNDER TITLE 9, SUBTITLE 1 OF THE
4 STATE GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND;

5 (2) WAGERING ON HORSE RACING CONDUCTED UNDER TITLE 11
6 OF THE BUSINESS REGULATION ARTICLE OF THE ANNOTATED CODE OF
7 MARYLAND; OR

8 (3) GAMING CONDUCTED ~~BY A BONA FIDE FRATERNAL, CIVIC,~~
9 ~~WAR VETERANS', RELIGIOUS, OR CHARITABLE ORGANIZATION, VOLUNTEER FIRE~~
10 ~~COMPANY, OR SUBSTANTIALLY SIMILAR ORGANIZATION INCLUDED~~ UNDER
11 TITLE 12 OR TITLE 13 OF THE CRIMINAL LAW ARTICLE OF THE ANNOTATED
12 CODE OF MARYLAND.

13 (B) IN THIS ARTICLE, "VIDEO LOTTERY OPERATION LICENSE" MEANS A
14 LICENSE ISSUED TO A PERSON THAT ALLOWS PLAYERS TO OPERATE VIDEO
15 LOTTERY TERMINALS.

16 (C) (1) THE STATE MAY ISSUE UP TO FIVE VIDEO LOTTERY
17 OPERATION LICENSES THROUGHOUT THE STATE FOR THE PRIMARY PURPOSE
18 OF RAISING REVENUE FOR:

19 (I) EDUCATION FOR THE CHILDREN OF THE STATE IN
20 PUBLIC SCHOOLS, PREKINDERGARTEN THROUGH GRADE 12;

21 (II) PUBLIC SCHOOL CONSTRUCTION AND PUBLIC SCHOOL
22 CAPITAL IMPROVEMENTS; AND

23 (III) CONSTRUCTION OF CAPITAL PROJECTS AT COMMUNITY
24 COLLEGES AND ~~4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION~~ SENIOR
25 HIGHER EDUCATION INSTITUTIONS.

26 (2) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION,
27 THE STATE MAY NOT AUTHORIZE THE OPERATION OF MORE THAN 15,000 VIDEO
28 LOTTERY TERMINALS IN THE STATE.

1 (3) A VIDEO LOTTERY OPERATION LICENSE ONLY MAY BE
2 AWARDED FOR A VIDEO LOTTERY FACILITY IN THE FOLLOWING LOCATIONS:

3 (I) ANNE ARUNDEL COUNTY, WITHIN 2 MILES OF MD
4 **ROUTE 295;**

5 (II) CECIL COUNTY, WITHIN 2 MILES OF INTERSTATE 95;

6 (III) WORCESTER COUNTY, WITHIN 1 MILE OF THE
7 INTERSECTION OF ROUTE 50 AND ROUTE 589;

8 (IV) ~~ON STATE PROPERTY ASSOCIATED WITH THE ROCKY~~
9 ~~GAP LODGE AND GOLF RESORT~~ LOCATED WITHIN ROCKY GAP STATE PARK IN
10 ALLEGANY COUNTY; OR

11 ~~(V) BALTIMORE CITY, IN A NONRESIDENTIAL AREA WITHIN~~
12 ~~ONE-HALF MILE OF INTERSTATE 95 AND MD ROUTE 295, AND NOT ADJACENT~~
13 ~~TO OR WITHIN ONE-QUARTER MILE OF RESIDENTIAL PROPERTY.~~

14 (V) BALTIMORE CITY, IF THE VIDEO LOTTERY FACILITY IS:

15 1. LOCATED:

16 A. IN A NONRESIDENTIAL AREA;

17 B. WITHIN ONE-HALF MILE OF INTERSTATE 95;

18 C. WITHIN ONE-HALF MILE OF MD ROUTE 295; AND

19 D. ON PROPERTY THAT IS OWNED BY BALTIMORE
20 CITY ON THE DATE ON WHICH THE APPLICATION FOR A VIDEO LOTTERY
21 OPERATION LICENSE IS SUBMITTED; AND

22 2. NOT ADJACENT TO OR WITHIN ONE-QUARTER
23 MILE OF PROPERTY THAT IS:

24 A. ZONED FOR RESIDENTIAL USE; AND

25 B. USED FOR A RESIDENTIAL DWELLING ON THE
26 DATE THE APPLICATION FOR A VIDEO LOTTERY OPERATION LICENSE IS
27 SUBMITTED.

1 (D) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, ON OR
2 AFTER NOVEMBER 15, 2008, THE GENERAL ASSEMBLY MAY NOT AUTHORIZE
3 ANY ADDITIONAL FORMS OR EXPANSION OF COMMERCIAL GAMING.

4 (E) THE GENERAL ASSEMBLY MAY AUTHORIZE ADDITIONAL FORMS OR
5 EXPANSION OF COMMERCIAL GAMING ~~IF APPROVAL IS GRANTED THROUGH A~~
6 ~~REFERENDUM, AUTHORIZED BY AN ACT OF THE GENERAL ASSEMBLY, IN A~~
7 ~~GENERAL ELECTION BY A MAJORITY OF THE QUALIFIED VOTERS IN THE STATE~~
8 THROUGH ENACTMENT OF LEGISLATION PASSED BY THREE-FIFTHS OF ALL THE
9 MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL
10 ASSEMBLY.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
12 determines that the amendment to the Maryland Constitution proposed by this Act
13 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the
14 Maryland Constitution concerning local approval of constitutional amendments do not
15 apply.

16 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
17 proposed as an amendment to the Maryland Constitution shall be submitted to the
18 legal and qualified voters of this State at the next general election to be held in
19 November, 2008 for their adoption or rejection pursuant to Article XIV of the
20 Maryland Constitution. At that general election, the vote on this proposed amendment
21 to the Constitution shall be by ballot, and upon each ballot there shall be printed the
22 words "For the Constitutional Amendment" and "Against the Constitutional
23 Amendment," as now provided by law. Immediately after the election, all returns shall
24 be made to the Governor of the vote for and against the proposed amendment, as
25 directed by Article XIV of the Maryland Constitution, and further proceedings had in
26 accordance with Article XIV.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.