

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 512  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Resort;” insert “limiting the number of video lottery terminals for operation at a video lottery facility in Allegany County;”; strike beginning with “authorizing” in line 6 down through “approvals;” in line 8; in line 13, after “circumstances;” insert “altering the hours of operation of video lottery facilities on certain days;”; in line 16, after “County;” insert “authorizing certain fund managers to use certain grant money from the Small, Minority, and Women-Owned Businesses Account to pay for certain expenses; requiring the Board of Public Works to set the maximum amount of grant money that each fund manager may use for a certain purpose;”; in line 20, after “operation” insert “and use of proceeds”; and in line 24, after “provisions;” insert “providing for the application of this Act;”.

On page 2, strike in its entirety line 5 and substitute “Section 9-1A-05(a), 9-1A-11(d), 9-1A-23(a), 9-1A-27(a) and (b), 9-1A-35, and 9-1A-36(h)(1), (i)(1)”; in line 11, strike “9-1A-11(b) and (c)” and substitute “9-1A-05(d), 9-1A-11(b) and (c), and 9-1A-36(i)(2)”; after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Tax-Property

Section 6-102(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)”;

and in line 16, strike “7-211(i)” and substitute “7-244”.

AMENDMENT NO. 2

On page 3, in line 12, strike “**COUNTY,**” and substitute “**COUNTY:**”

(Over)

(I)”;

in line 14, strike “RESORT” and substitute “RESORT; AND”

(II) NOTWITHSTANDING § 9-1A-36(I)(2) OF THIS SUBTITLE, AWARD MORE THAN 1,000 VIDEO LOTTERY TERMINALS FOR OPERATION AT A VIDEO LOTTERY FACILITY IN ALLEGANY COUNTY”.

On page 7, after line 14, insert:

“(i) (1) Except as provided in paragraphs (2) and (3) of this subsection, the Video Lottery Facility Location Commission may not allocate more than the following number of video lottery terminals for:

(i) a location in Anne Arundel County – 4,750 video lottery terminals;

(ii) a location in Baltimore City – 3,750 video lottery terminals;

(iii) a location in Cecil County – 2,500 video lottery terminals;

(iv) a location in Rocky Gap State Park (Allegany County) – [1,500] 1,000 video lottery terminals; and

(v) a location in Worcester County – 2,500 video lottery terminals.

(2) The Video Lottery Facility Location Commission may allocate video lottery terminals in a manner that is different from the allocation provided in paragraph (1) of this subsection on a determination that the market factors and other

factors evaluated under subsection (k) of this section warrant the different allocation, provided that no one location may be allocated more than 4,750 video lottery terminals.”.

AMENDMENT NO. 3

On page 3, in line 20, strike the brackets; strike beginning with “**EXCEPT**” in line 20 down through “**AN**” in line 21; strike beginning with “**THAT**” in line 27 down through “**SUBTITLE**” in line 28; strike beginning with “**OWN**” in line 28 down through “**OR**” in line 29; and in line 30, strike the brackets.

AMENDMENT NO. 4

On page 5, after line 3, insert:

“9-1A-23.

(a) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A video lottery facility may operate daily from 8 a.m. to 2 a.m.

(2) A VIDEO LOTTERY FACILITY MAY EXTEND OPERATIONS UNTIL 4 A.M. ON SATURDAY AND 4 A.M. ON SUNDAY.”.

AMENDMENT NO. 5

On page 6, after line 20, insert:

“9-1A-35.

(a) There is a Small, Minority, and Women-Owned Businesses Account under the authority of the Board of Public Works.

(b) (1) The Account shall receive money as required under § 9-1A-27 of this subtitle.

(Over)

(2) Money in the Account shall be invested and reinvested by the Treasurer and interest and earnings shall accrue to the Account.

(3) The Comptroller shall:

(i) account for the Account; and

(ii) on a properly approved transmittal prepared by the Board of Public Works, issue a warrant to pay out money from the Account in the manner provided under this section.

(4) The Account is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(5) Expenditures from the Account shall only be made on a properly approved transmittal prepared by the Board of Public Works as provided under subsection (c) of this section.

(c) (1) In this subsection, “eligible fund manager” means an entity that has significant financial or investment experience, under criteria developed by the Board of Public Works.

(2) Subject to the provisions of paragraph (3) of this subsection, the Board of Public Works shall make grants to eligible fund managers to provide investment capital and loans to small, minority, and women–owned businesses in the State.

(3) The Board of Public Works shall ensure that eligible fund managers allocate at least 50% of the funds from this Account to small, minority, and women–owned businesses in the jurisdictions and communities surrounding a video lottery facility.

(d) Fund managers receiving grants under this section shall:

(1) keep proper records of funds and accounts;

(2) provide an annual report to the Governor and, in accordance with § 2-1246 of this article, the General Assembly on investment capital and loans made pursuant to subsection (c) of this section; and

(3) be subject to audit by the Office of Legislative Audits of the Department of Legislative Services.

**(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ELIGIBLE FUND MANAGER MAY USE MONEY FROM GRANTS RECEIVED UNDER THIS SECTION TO PAY EXPENSES FOR ADMINISTRATIVE, ACTUARIAL, LEGAL, AND TECHNICAL SERVICES.**

**(2) THE BOARD OF PUBLIC WORKS SHALL SET THE MAXIMUM AMOUNT OF GRANT MONEY THAT EACH ELIGIBLE FUND MANAGER MAY USE UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**[(e)](F) Each fiscal year the Legislative Auditor shall audit and evaluate the utilization of the funds that are allocated to small, minority, and women-owned businesses by eligible fund managers under subsection (c)(3) of this section.”.**

**AMENDMENT NO. 6**

On page 8, after line 2, insert:

**“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”;**

(Over)

after line 3, insert:

“6-102.

(e) Unless exempted under § 7-211, § 7-211.1, § 7-244, or § 7-501 of this article, the interest or privilege of a person in property that is owned by the federal government, the State, a county, a municipal corporation, or an agency or instrumentality of the federal government, the State, a county, or a municipal corporation is subject to property tax as though the lessee or the user of the property were the owner of the property, if the property is leased or otherwise made available to that person:

(1) by the federal government, the State, a county, a municipal corporation, or an agency or instrumentality of the federal government, the State, a county, or a municipal corporation; and

(2) with the privilege to use the property in connection with a business that is conducted for profit.”;

in line 4, strike “7-211.” and substitute “7-244.”; in line 5, strike “**(I) (1) (I)**” and substitute “**(A) (1)**”; in the same line, strike “**SUBSECTION**” and substitute “**SECTION**”; in lines 7, 9, and 11, strike “**(II)**”, and “**(III)**”, and “**(2)**”, respectively, and substitute “**(2)**”, “**(3)**”, and “**(B)**”, respectively; in line 12, strike “**OWNED OR**”; and after line 14, insert:

“(C) AN INTEREST OF A PERSON IN VIDEO LOTTERY TERMINALS AND ANY ASSOCIATED EQUIPMENT OR SOFTWARE OWNED BY THE STATE LOTTERY COMMISSION AS PROVIDED IN § 9-1A-21 OF THE STATE GOVERNMENT ARTICLE IS NOT SUBJECT TO PROPERTY TAX.”;

before line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall apply to all taxable years beginning after June 30, 2011.”;

and in line 15, strike “2.” and substitute “4.”.