

## Chapter 507

(Senate Bill 638)

AN ACT concerning

### Video Lottery Terminal Applicants and Licensees – Minority Business Participation – Modifications and Sunset Extension

FOR the purpose of ~~adding maintenance and ongoing service delivery to the requirements that certain applicants or licensees for video lottery operations must meet regarding minority business participation under certain circumstances~~, extending a certain termination date for certain provisions of law relating to minority participation in video lottery facility operations; providing a termination date for certain monitoring, reporting, and other duties of the State Lottery Commission and the Governor's Office of Minority Affairs; and generally relating to minority business participation requirements and video lottery operation licenses.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–10  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### Article – State Government

9–1A–10.

(a) (1) For the construction ~~[and]~~, procurement, ~~MAINTENANCE, AND ONGOING SERVICE DELIVERY~~ related to the operation of video lottery terminals, the applicant or licensee shall at a minimum meet the same requirements of a designated unit for minority business participation as described under Title 14, Subtitle 3 of the State Finance and Procurement Article.

(2) If the county in which a video lottery facility will be located has higher minority business participation requirements than the State as described in paragraph (1) of this subsection, the applicant shall meet the county's minority business participation requirements ~~[to the extent possible]~~.

(3) Any collective bargaining agreement or agreements, including a project labor agreement or a neutrality agreement, entered into by an applicant or licensee may not negate the requirements of this subsection.

(4) If an applicant for employment at a video lottery facility believes that the applicant has been discriminated against in the employment process, the applicant may appeal the employment decision to the local human relations board in the county where the facility is located.

(5) Notwithstanding any collective bargaining agreement or agreements, a licensee shall:

(i) provide health insurance coverage for its employees; and

(ii) give a preference to hiring qualified employees from the communities within 10 miles of the video lottery facility.

(6) A licensee shall:

(i) provide retirement benefits for its employees; and

(ii) if the licensee is a racetrack licensee, provide retirement benefits to its video lottery operation employees that are equivalent to the level of benefits provided to the racetrack employees who are eligible under the Maryland Racetrack Employees Pension Fund.

(7) Notwithstanding any collective bargaining agreement or agreements, if the licensee is a racetrack location, the licensee shall provide health insurance coverage to all employees of the racetrack, including the employees of the racetrack on the backstretch of the racetrack.

(b) (1) The Commission shall ensure that a video lottery operation licensee complies with the requirements of subsection (a)(1) and (2) of this section as a condition of holding the video lottery operation license.

(2) The Governor's Office of Minority Affairs shall monitor a licensee's compliance with subsection (a)(1) and (2) of this section.

(3) The Governor's Office of Minority Affairs shall report to the Commission at least every 6 months on the compliance of licensees with subsection (a)(1) and (2) of this section.

(4) If the Governor's Office of Minority Affairs reports that a licensee is not in compliance with subsection (a)(1) and (2) of this section, the Commission may take immediate action to ensure the compliance of the licensee.

(c) On or after July 1, [2011] **2018**, the provisions of [subsection] **SUBSECTIONS (a)(1) and (2) AND (B)** of this section and any regulations adopted under [subsection] **SUBSECTIONS (a)(1) and (2) AND (B)** of this section shall be of no effect and may not be enforced.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

**Approved by the Governor, May 19, 2011.**