
By: **Washington County Delegation**
Introduced and read first time: February 28, 2000
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County - Gaming Commission - Tip Jar Proceeds**

3 FOR the purpose of altering the effective dates of the appointment of members of the
4 Washington County Gaming Commission; listing the expiration dates of terms
5 of certain members of the Commission; establishing a certain distribution of
6 certain tip jar proceeds to certain entities; limiting the distribution of certain tip
7 jar proceeds in a certain way; requiring that the Commission report to the
8 Washington County Delegation at certain times on a certain subject; providing
9 for the termination of a provision of this Act; and generally relating to the
10 Washington County Gaming Commission.

11 BY repealing and reenacting, with amendments,
12 Article 27 - Crimes and Punishments
13 Section 255C(c) and (q)
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 1999 Supplement)

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

18 **Article 27 - Crimes and Punishments**

19 255C.

20 (c) (1) The Commission consists of seven members appointed as follows:

21 (i) Three members appointed by the Board;

22 (ii) One member appointed by the Chairman of the Washington
23 County House of Delegates Delegation, with the concurrence of the County's House
24 Delegation;

25 (iii) One member appointed by the State Senators whose districts
26 are within or include part of Washington County;

1 (iv) One member from Washington County to represent
2 restaurants, taverns, and the alcoholic beverages industry in the County, appointed
3 by the Washington County House and Senate Delegations; and

4 (v) One member from the Washington County Clubs Association,
5 appointed by the Washington County House and Senate Delegations.

6 (2) A member of the Commission appointed under paragraph (1)(i), (ii),
7 or (iii) of this subsection may not:

8 (i) Hold a tip jar license or a wholesaler's license;

9 (ii) Be employed by a person who holds a tip jar license or a
10 wholesaler's license;

11 (iii) Hold any ownership interest in or receive any direct benefit
12 from the holder of a tip jar license or a wholesaler's license; or

13 (iv) Serve on any board of directors or as an officer of any
14 organization that applies for funds from the Commission.

15 (3) If an organization, that has on its board of directors or as an officer a
16 member of the Commission, applies for funds from the Commission during the
17 member's term, the member of the Commission may no longer serve on the
18 Commission and a new member shall be appointed to complete the term.

19 (4) A member of the Commission shall be a resident of Washington
20 County.

21 (5) The term of a member of the Commission is 2 years and begins on
22 [July 1] MARCH 1 OR OCTOBER 1, ACCORDING TO THE STAGGERED SCHEDULE
23 REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON
24 OCTOBER 1, 2000.

25 (6) A member of the Commission may not be reappointed within 5 years
26 after completion of two 2-year terms.

27 (7) The terms of members of the Commission are staggered as required
28 by the terms in effect for members of the Commission on July 1, 1995.

29 (8) At the end of a term, a member continues to serve until a successor is
30 appointed.

31 (9) A member who is appointed after a term has begun serves only for
32 the rest of the term and until a successor is appointed.

33 (10) A member of the Commission:

34 (i) May not receive compensation; but

1 (ii) May be entitled to reimbursement for expenses, in accordance
2 with a policy of the Board.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the members
4 of the Washington County Gaming Commission in office on October 1, 2000, shall
5 expire as follows:

6 (1) For one member appointed by the Board, February 28, 2001;

7 (2) For one member appointed by the Board, September 30, 2001;

8 (3) For one member appointed by the Board, February 28, 2002;

9 (4) For the member appointed by the Chairman of the Washington
10 County House of Delegates Delegation, with the concurrence of the County's House
11 Delegation, February 28, 2002;

12 (5) For the member appointed by the State Senators whose districts are
13 within or include part of Washington County, September 30, 2002;

14 (6) For the member from Washington County to represent restaurants,
15 taverns, and the alcoholic beverages industry in the County, appointed by the
16 Washington County House and Senate Delegations, February 28, 2001; and

17 (7) For the member from the Washington County Clubs Association,
18 appointed by the Washington County House and Senate Delegations, September 30,
19 2001.

20 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
21 read as follows:

22 **Article 27 - Crimes and Punishments**

23 255C.

24 (q) (1) There is a Washington County Gaming Fund established by the
25 Commission.

26 (2) In this subsection, "gross profits" means the total proceeds from the
27 operation of a tip jar less the amount of prizes or money winnings distributed.

28 (3) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, a
29 person that qualifies for a tip jar license under subsection (f)(1)(v), (vi), or (vii) of this
30 section shall deposit with a financial institution that the Commission designates and
31 to the credit of the Fund the gross profits from the tip jars that the person operates.

32 (ii) To offset the costs of operating a tip jar, a person that qualifies
33 for a tip jar license under subsection (f)(1)(v), (vi), or (vii) of this section may retain
34 [the lesser of \$45 or] 50% of the gross profits from each tip jar game.

1 (iii) The gross profits of a tip jar operated by a person that is subject
2 to this paragraph may not exceed \$250.

3 (4) (i) A fraternal, civic, veterans, or bona fide charitable organization
4 or sportsmen's association that qualifies for a tip jar license under subsection (f)(1)(iii)
5 or (iv) of this section shall deposit with a financial institution that the Commission
6 designates and to the credit of the Fund 15% of the gross profits earned during the
7 period July 1 through June 30 each year.

8 (ii) If an organization that is subject to this subsection does not
9 contribute in a year the full amount required under subparagraph (i) of this
10 paragraph, the organization in the next year shall deposit, with a financial institution
11 that the Commission designates and to the credit of the Fund, the balance of the
12 amount required to be contributed.

13 (5) The Board shall establish the time, method of deposit, and other
14 procedures necessary to carry out paragraphs (3) and (4) of this subsection.

15 (6) The Commission may use money in the Fund to reimburse the Board
16 for the costs to the County for administering this section in accordance with a written
17 agreement between the Board and the Commission.

18 (7) [Each] SUBJECT TO PARAGRAPH (8) OF THIS SUBSECTION, EACH
19 year, after the reimbursement under paragraph (6) of this subsection, the
20 Commission shall distribute:

21 (i) [60] 50 percent of the moneys deposited in the Fund to bona
22 fide charitable organizations in the County, subject to any restrictions that the Board
23 may adopt by regulation; and

24 (ii) [40] 50 percent of the moneys deposited in the Fund to the
25 Washington County Volunteer Fire and Rescue Association.

26 (8) THE COMMISSION MAY NOT DISTRIBUTE MORE THAN \$50,000 TO
27 EACH APPLICANT PER APPLICATION.

28 [(8)] (9) The Board may not reduce the total of its appropriations to
29 nonprofit organizations in the County budget below the total appropriation to
30 nonprofit organizations that is in the budget for the 1996 fiscal year.

31 (10) ON OR BEFORE JANUARY 31, 2001, AND EVERY 6 MONTHS
32 THEREAFTER, THE COMMISSION SHALL REPORT TO THE WASHINGTON COUNTY
33 DELEGATION ON HOW RECIPIENTS OF MONEYS FROM THE WASHINGTON COUNTY
34 GAMING FUND HAVE BEEN AFFECTED BY THE FORMULA FOR DISTRIBUTING THOSE
35 MONEYS SPECIFIED UNDER THIS ACT.

36 SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall
37 remain effective for a period of 3 years and, at the end of June 30, 2003, with no
38 further action required by the General Assembly, Section 3 of this Act shall be
39 abrogated and of no further force and effect.

1 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2000.