

BY: Senator Dyson

AMENDMENTS TO SENATE BILL NO. 322, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, at the top of the page, insert "CONSTITUTIONAL AMENDMENT".

AMENDMENT NO. 2

On page 1 of the Budget and Taxation Committee Amendments (SB0322/519432/2), in line 4 of Amendment No. 1, strike "requiring" and substitute "proposing an amendment to the Maryland Constitution to require".

On page 3 of the Committee Amendments, in line 20 of Amendment No. 1, after "terms;" insert "submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection;"; and in the same line, after "to" insert "a proposed amendment to the Maryland Constitution to regulate".

On pages 3 and 4 of the Committee Amendments, in Amendment No. 1, strike in their entirety the lines beginning with line 24 on page 3 through line 24 on page 4, inclusive, and substitute:

"BY proposing an addition to the Constitution of Maryland

New Article XIX - State Lottery Commission - Video Lottery Terminals

Section 1 through 32, inclusive".

AMENDMENT NO. 3

On page 4 of the Budget and Taxation Committee Amendments, in line 3 of Amendment No. 2, strike "That" and substitute "(Three-fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Constitution of Maryland read as follows:".

On pages 5 through 7 of the Committee Amendments, in the same amendment, strike in their

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entirety the lines beginning with line 1 on page 5 through line 21 on page 7, inclusive, and substitute:

“ARTICLE XIX - STATE LOTTERY COMMISSION - VIDEO LOTTERY TERMINALS

1.”.

AMENDMENT NO. 4

On page 10 of the Committee Amendments, in line 1 of Amendment No. 4, strike “9-1A-02” and substitute “2”; in the same amendment, in line 2, strike “SUBTITLE” and substitute “ARTICLE”; on page 11, in line 14, strike “9-1A-03” and substitute “3”; in lines 18 and 20, in each instance, after “ARTICLE”, insert “OF THE ANNOTATED CODE OF MARYLAND”; on page 12, in line 4, after “ARTICLE” insert “OF THE ANNOTATED CODE OF MARYLAND”; and on page 12, in line 5, strike “9-1A-04” and substitute “4”.

AMENDMENT NO. 5

On page 13 of the Committee Amendments, in line 1 of Amendment No. 6, strike “9-1A-05” and substitute “5”; and in line 7 of the same amendment, strike “9-1A-06” and substitute “6”.

AMENDMENT NO. 6

On page 14 of the Committee Amendments, in line 1 of Amendment No. 7, strike “9-1A-07” and substitute “7”; on page 14, in line 9, strike “9-1A-20” and substitute “20”; in line 25, strike “9-1A-13” and substitute “13”; on page 15, in line 2, strike “9-1A-04” and substitute “4”; and in line 4, strike “9-1A-08” and substitute “8”.

AMENDMENT NO. 7

On page 16 of the Committee Amendments, in line 2 of Amendment No. 8, strike “9-1A-09” and substitute “9”; in the same amendment, in line 21 on page 18, strike “9-1A-10” and substitute “10”; and in line 24, strike “9-1A-07” and substitute “7”; in the same amendment, in line 1 on page 19, strike “9-1A-08” and substitute “8”; in the same amendment, in line 6 on page 19, after “ARTICLE” insert “OF THE ANNOTATED CODE OF MARYLAND”; in the same amendment, in line 8 on page 21, after “ARTICLE” insert “OF THE ANNOTATED CODE OF MARYLAND”; in the same amendment, in line 10 on page 22, strike “9-1A-11” and substitute “11”; in the same amendment, in lines 2 and 11 on page 23, strike “9-1A-12” and “9-1A-13”, respectively, and substitute “12” and “13”, respectively; and in the same amendment, in line 9 on page 23, strike “9-1A-07 AND 9-1A-08” and substitute “7 AND 8”.

AMENDMENT NO. 8

On page 24 of the committee amendment, in line 3 in Amendment No. 9, strike “9-1A-14”

and substitute “14”; in the same amendment, in line 22 on pages 27, strike “9-1A-15” and substitute “15”; in the same amendment, in lines 5, 7, and 14 on page 26, strike “9-1A-07 AND 9-1A-08”, “9-1A-16”, and “9-1A-16”, respectively, and substitute “7 AND 8”, “16”, and “16”, respectively; in the same amendment, in line 20, strike “9-1A-17” and substitute “17”.

AMENDMENT NO. 9

On page 28 of the committee amendments, in line 1 of Amendment No. 10, strike “9-1A-18” and substitute “18”; in the same amendment, in lines 3, 6, 13, and 23, strike “9-1A-19”, “9-1A-20”, “9-1A-21”, “9-1A-22”, and “9-1A-23”, respectively and substitute “19”, “20”, “21”, “22”, and “23”, respectively; in the same amendment, in line 3 on page 29, strike “9-1A-24” and substitute “24”; and in the same amendment, in line 18, strike “CODE” and substitute “ANNOTATED CODE OF MARYLAND”.

AMENDMENT NO. 10

On page 32 of the committee amendments, in lines 3, 4, 11, and 14 of Amendment No. 11, strike “9-1A-25”, “9-1A-26”, “9-1A-01”, and “9-1A-01”, respectively, and substitute “25”, “26”, “1”, and “1”, respectively; in the same amendment, in line 1 on page 33, strike “9-1A-28” and substitute “28”; in the same amendment, in lines 10, 16, and 24 on page 34, in each instance, strike “9-1A-27” and substitute “27”; in the same amendment, in lines 1, 7, 16, and 26, strike “9-1A-27”, “9-1A-27”, and “9-1A-27”, and “9-1A-28”, respectively, and substitute “27”, “27”, “27”, and “28”, respectively; and in the same amendment, in line 1 on page 36, strike “9-1A-27” and substitute “27”.

AMENDMENT NO. 11

On page 36 of the committee amendments, in lines 1, 2, 12, and 21 of Amendment No. 12, strike “9-1A-27”, “9-1A-26”, “9-1A-26”, and “9-1A-26”, respectively and substitute “27”, “26”, “26”, and “26”, respectively, and in the same amendment, in lines 14 and 15, strike “9-1A-28” and “9-1A-26”, respectively, and substitute “28” and “26”, respectively.

AMENDMENT NO. 12

On page 37 of the committee amendments, in lines 2 and 3 of Amendment No. 13, strike “9-1A-29” and “9-1A-26”, respectively, and substitute “29” and “26”, respectively.

AMENDMENT NO. 13

On pages 39 through 42 of the committee amendments, in line 8 on page 39 of Amendment No. 13, in line 9 on page 40 of that amendment, in line 4 on page 41, and in line 10 on page 42 of that amendment, strike “9-1A-26”, “9-1A-30”, “9-1A-31”, and “9-1A-32”, respectively, and substitute “26”, “30”, “31”, and “32”, respectively.

AMENDMENT NO. 14

On page 10 of the committee amendments, in line 18 in Amendment No. 4, and in line 16 and 18 on page 11 of that amendment, in each instance, strike “SUBTITLE” and substitute “ARTICLE”; and in the same amendment, in line 20 on page 11, strike “SUBTITLE 1 OF THIS TITLE” and substitute “TITLE 9, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND”.

AMENDMENT NO. 15

On page 12 of the committee amendments, in lines 6, 12, 16 of Amendment No. 5, on page 13, in lines 11, 13, 15, and 23 of Amendment No. 6, on page 14, in lines 9, 11, 15, 18, and 25; on page 18, in line 11; on page 23, in line 9; on page 25; in lines 3 and 8 of Amendment No. 9, on page 25, in lines 3 and 8 of the same amendment; on page 26, in lines 1, 6, 7, 21, and 22 of the same amendment; on page 27, in line 6; on page 31, in line 4 of Amendment No. 10; on page 32 in lines 11 and 14 of Amendment No. 11; on page 33, in line 1 of the same amendment; on page 34 in lines 10, 17, and 23 of the same amendment; on page 35, in lines 1, 7, 15, and 26 of the same amendment; on page 36, in line 1 of the same amendment; on page 36, in lines 13 and 22 of Amendment No. 12; on page 38, in line 1 of Amendment No. 13; on page 39, in line 8 of the same amendment; on page 40, in line 19 of the same amendment, in each instance, strike “SUBTITLE” and substitute “ARTICLE”.

AMENDMENT NO. 16

On page 10 of the bill, in lines 13, 19, and 27, on page 11 of the bill, in lines 7, 16, 18, and 35, on page 12 of the bill, in lines 4, 19, 20, 25, 30, and 35, on page 13 of the bill, in lines 8, 9, 26, 31, and 32, on page 14 of the bill, in lines 14, 16, 24, and 27; on page 15, in lines 2, 16, 22, and 23; on page 16 of the bill, in lines 15, 16, and 20, on page 18 of the bill, in line 29, on page 20 of the bill, in lines 9, 16, 19, and 20, on page 21 of the bill, in lines 5, 6, 9, 10, and 24, on page 23, in lines 7, 9, 10, 13, 16, 20, 25, 30, 34, 36, and 40, on page 24 of the bill, in lines 2 and 7, on page 25 of the bill, in lines 19, 23, 25, 30, and 34, on page 26, in lines 2, 11, 14, and 15, on page 27 of the bill, in lines 34 and 36, on page 30 of the bill, in lines 30 and 31, on page 31 of the bill, in lines 7, 8, and 18, on

page 33, in line 11, and on page 34, in line 31, in each instance, strike “SUBTITLE” and substitute “ARTICLE”; and on page 31 of the bill, in line 15, strike “SUBTITLE 3 OF THIS TITLE” and substitute “ARTICLE”.

AMENDMENT NO. 17

On page 10 of the Committee Amendments, after line 5 of Amendment No. 3, insert:

“1A.

(A) THE COMMISSION CONSISTS OF 9 MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

(B) (1) AT THE TIME OF APPOINTMENT, EACH MEMBER OF THE COMMISSION SHALL BE:

(I) AT LEAST 25 YEARS OLD;

(II) A RESIDENT OF THE STATE WHO HAS RESIDED IN THE STATE FOR AT LEAST 5 YEARS;

(III) A QUALIFIED VOTER OF THE STATE; AND

(IV) AN INDIVIDUAL WHO HAS NOT BEEN CONVICTED OF A CRIME THAT INVOLVES MORAL TURPITUDE OR GAMBLING.

(2) A MEMBER MAY NOT HAVE A FINANCIAL INTEREST IN VIDEO LOTTERY TERMINALS.

(3) A MEMBER OF THE COMMISSION MAY NOT:

(I) HAVE AN OFFICIAL RELATIONSHIP TO A PERSON WHO HOLDS A LICENSE UNDER SUBTITLE 1A OF THIS TITLE; OR

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(II) HOLD ANY STOCKS, BONDS, OR OTHER FINANCIAL INTEREST IN A PERSON HOLDING A LICENSE UNDER SUBTITLE 1A OF THIS TITLE.

(4) NO MORE THAN SIX MEMBERS MAY BE OF THE SAME POLITICAL PARTY.

(5) THE MEMBERS OF THE COMMISSION SHALL REFLECT THE GEOGRAPHIC, RACIAL, AND GENDER MAKEUP OF THE STATE.

(C) MEMBERSHIP ON THE COMMISSION SHALL INCLUDE:

(1) ONE MEMBER WITH EXPERIENCE IN LAW ENFORCEMENT;

(2) ONE MEMBER WITH EXPERIENCE IN A FIELD RELATING TO FINANCE AND INVESTMENTS;

(3) ONE MEMBER WHO IS A CERTIFIED PUBLIC ACCOUNTANT; AND

(4) ONE MEMBER WITH EXPERIENCE IN A FIELD OF INFORMATION TECHNOLOGY.

(D) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) THE TERMS OF MEMBERS ARE STAGGERED.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) THE PROVISIONS OF THIS SUBSECTION DO NOT AFFECT THE TERMS OF THE MEMBERS OF THE COMMISSION APPOINTED BEFORE THE EFFECTIVE DATE OF THIS ARTICLE.

(6) THE TERMS OF THE 4 NEW MEMBERS OF THE COMMISSION APPOINTED UNDER THIS SECTION SHALL EXPIRE AS FOLLOWS:

(I) ONE MEMBER IN 2005;

(II) ONE MEMBER IN 2006; AND

(III) TWO MEMBERS IN 2007.

(E) (1) SUBJECT TO THE HEARING REQUIREMENTS OF THIS SUBSECTION, THE GOVERNOR MAY REMOVE A MEMBER FOR CAUSE.

(2) BEFORE THE GOVERNOR REMOVES A MEMBER, THE GOVERNOR SHALL GIVE THE MEMBER NOTICE AND AN OPPORTUNITY FOR A PUBLIC HEARING.

(F) THE GOVERNOR SHALL APPOINT ONE MEMBER OF THE COMMISSION TO SERVE AS A LIAISON TO THE STATE RACING COMMISSION ESTABLISHED UNDER TITLE 11 OF THE BUSINESS REGULATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

(G) THE GOVERNOR SHALL APPOINT ONE MEMBER OF THE STATE RACING COMMISSION TO SERVE AS A LIAISON TO THE COMMISSION.

(H) AS PROVIDED IN THE STATE BUDGET, A MEMBER OF THE COMMISSION:

(1) MAY RECEIVE COMPENSATION; AND

(2) IS ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN THE PERFORMANCE OF THE DUTIES AS A MEMBER.

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THE PROVISIONS OF DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND DO NOT APPLY TO PROCUREMENT BY THE STATE LOTTERY AGENCY FOR NEGOTIATING AND ENTERING INTO CONTRACTS FOR THE PURCHASE, LEASE, MANUFACTURE, REPAIR, MAINTENANCE, AND OPERATION OF VIDEO LOTTERY TERMINALS.”.

AMENDMENT NO. 18

On page 42 of the committee amendments, in lines 4 and 5 of Amendment No. 14, in each instance, strike “AND HORSE RACING”; in the same amendment, in line 6, strike “2.”; in the same amendment, strike in their entirety lines 10 through 13, inclusive; in the same amendment, on page 43, strike in their entirety lines 1 through 29, inclusive; in the same amendment, on page 44, strike in their entirety lines 1 and 2; in the same amendment, strike “(3) two members in 2007”; and on pages 37 and 38 of the bill, strike in their entirety lines 20 through 33, inclusive on page 37 and lines 1 through 30, inclusive, on page 38.

AMENDMENT NO. 19

On page 40 of the bill, strike in their entirety lines 14 and 15 and substitute:

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

SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section proposed as an amendment to the Constitution of Maryland shall be submitted to the legal and qualified voters of this State at the next general election to be held in November, 2004 for their adoption or rejection in pursuance of directions contained in Article XIV of the Constitution of this State. At that general election, the vote on this proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words “For the Constitutional Amendment” and “Against the Constitutional Amendment,” as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Constitution, and further proceedings had in accordance with Article XIV.”.