

BY: Senator Forehand

AMENDMENTS TO SENATE BILL NO. 322, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB0322/519432/2), in lines 22 and 23 of Amendment No. 1, strike "to certain holders of certain licenses"; and in line 23, after the semicolon, insert "requiring the State Lottery Commission to hold a public auction and solicit bids for certain licenses; requiring a bidder to submit a certain application and a proposed percentage of the proceeds from video lottery terminals to be received by the licensee; requiring the State Lottery Commission to issue certain licenses to certain bidders who submit the lowest proposed percentage of the proceeds to be received by the licensee;".

On page 2 of the Budget and Taxation Committee Amendments, in lines 1 and 5 of Amendment No. 1, in each instance, after "requiring" insert "certain".

On page 3 of the Budget and Taxation Committee Amendments, in line 3 of Amendment No. 1, after "racing" insert "under certain circumstances".

AMENDMENT NO. 2

On page 11 of the bill, before line 36, insert:

"(U) "RACE MEETING LICENSEE" MEANS THE HOLDER OF A LICENSE ISSUED BY THE STATE RACING COMMISSION TO HOLD A RACING MEETING UNDER TITLE 11 OF THE BUSINESS REGULATION ARTICLE."

On page 12 of the bill, strike beginning with "ISSUED" in line 5 down through "TERMINALS" in line 7 and substitute "THAT AUTHORIZES A PERSON TO OFFER VIDEO LOTTERY TERMINALS FOR PUBLIC USE IN THE STATE".

On page 8 of the Budget and Taxation Committee Amendments, in line 17 of Amendment

(Over)

No. 3, strike “(U)” and substitute “(V)”; and in the same amendment, on page 9, in line 10, strike “(V)”, “(W)”, “(X)”, and “(Y)”, respectively, and substitute “(W)”, “(X)”, “(Y)”, and “(Z)”, respectively.

AMENDMENT NO. 3

On page 17 of the bill, strike in their entirety lines 4 through 19, inclusive, and substitute:

“(B) THE COMMISSION SHALL HOLD A PUBLIC AUCTION AND SOLICIT BIDS FOR THE VIDEO LOTTERY OPERATION LICENSES TO BE ISSUED BY THE COMMISSION.

(C) EACH BIDDER FOR A VIDEO LOTTERY OPERATION LICENSE SHALL SUBMIT:

(1) AN APPLICATION AS REQUIRED UNDER § 9-1A-07 OF THIS SUBTITLE; AND

(2) A PROPOSED PERCENTAGE OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS TO BE RECEIVED BY THE VIDEO LOTTERY OPERATION LICENSEE UNDER § 9-1A-26 OF THIS SUBTITLE.

(D) THE COMMISSION SHALL ISSUE THE AVAILABLE VIDEO LOTTERY OPERATION LICENSES TO THE BIDDERS THAT:

(1) SUBMIT THE BIDS WITH THE LOWEST PROPOSED PERCENTAGE OF THE PROCEEDS TO BE RECEIVED BY THE VIDEO LOTTERY OPERATION LICENSEE UNDER § 9-1A-26 OF THIS SUBTITLE; AND

(2) OTHERWISE MEET ALL REQUIREMENTS APPLICABLE TO AN APPLICANT FOR A VIDEO LOTTERY OPERATION LICENSE UNDER THIS SUBTITLE.”.

On page 13 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 6, strike “PARK”; in line 3, strike “RACE COURSE”; in line 4, strike “GEOGRAPHIC”; and in the same line, strike “ON JUNE 1, 2003”.

AMENDMENT NO. 4

On page 15 of the Budget and Taxation Committee Amendments, in line 22 of Amendment No. 7, strike "AT THE TRACK LOCATION".

On pages 16 and 17 of the Budget and Taxation Committee Amendments, in Amendment No. 8, on page 16 in line 4, and on page 17 in line 20, in each instance, after "LICENSEE" insert "THAT IS A RACE MEETING LICENSEE".

On page 19 of the Budget and Taxation Committee Amendments, in line 8 of Amendment No. 8, strike "PARAGRAPH (2)" and substitute "PARAGRAPHS (2) AND (3)"; and after line 21, insert:

"(3) IF AN APPLICANT FOR A VIDEO LOTTERY OPERATION LICENSE IS NOT A RACE MEETING LICENSEE, THE APPLICANT FOR A VIDEO LOTTERY OPERATION LICENSE SHALL OFFER TO QUALIFIED INVESTORS AT LEAST 15% OF THE EQUITY OWNERSHIP OF THE ENTITY OR ENTITIES THAT HOLD OR WILL HOLD THE APPLICANT'S VIDEO LOTTERY OPERATION LICENSE."

AMENDMENT NO. 5

On pages 32 and 33 of the Budget and Taxation Committee Amendments, in Amendment No. 11, strike in their entirety the lines beginning with the last line on page 32 through line 16 on page 33, inclusive, and substitute:

"(3) A PERCENTAGE TO THE VIDEO LOTTERY OPERATION LICENSEE, NOT TO EXCEED 39%, AS SPECIFIED IN THE VIDEO LOTTERY OPERATION LICENSEE'S BID FOR THE VIDEO OPERATION LICENSE UNDER § 9-1A-05 OF THIS SUBTITLE;

(4) 4.75% IN LOCAL DEVELOPMENT GRANTS, TO BE DISTRIBUTED AS PROVIDED IN SUBSECTION (D) OF THIS SECTION;

(5) A PERCENTAGE TO A PURSE DEDICATION ACCOUNT, AS PROVIDED IN SUBSECTION (D) OF THIS SECTION; AND

(6) THE REMAINDER TO THE EDUCATION TRUST FUND ESTABLISHED

(Over)

UNDER § 9-1A-28 OF THIS SUBTITLE.”.

On page 33 of the Budget and Taxation Committee Amendments, in line 17 of Amendment No. 11, strike “(5)” and substitute “(D)(1)”; in line 19, after “RACEWAY,” insert “THE”; and in line 20, strike “TO” and substitute “UNDER SUBSECTION (C)(4) OF THIS SECTION SHALL”.

On page 34 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 11, strike “; AND” and substitute a period; in line 5, strike “4.75%” and substitute “THE 4.75% IN LOCAL DEVELOPMENT GRANTS UNDER SUBSECTION (C)(3) OF THIS SECTION SHALL BE DISTRIBUTED”; in the same line, strike the semicolon and substitute a period; after line 5, insert:

“(2) FROM THE PROCEEDS OF VIDEO LOTTERY TERMINALS OPERATED BY A VIDEO LOTTERY OPERATION LICENSEE OTHER THAN A RACING MEETING LICENSEE, THE 4.75% IN LOCAL DEVELOPMENT GRANTS SHALL BE DISTRIBUTED AS DETERMINED BY THE COMMISSION TO LOCAL JURISDICTIONS AFFECTED BY THE OPERATION OF THE VIDEO LOTTERY FACILITY.”;

in lines 6 and 19, strike “(6)” and “(7)”, respectively, and substitute “(3)” and “(4)”, respectively; in lines 9, 15, 22, and 28, in each instance, strike “TO” and substitute “SHALL BE DISTRIBUTED TO”; in lines 11 and 24, in each instance, strike “; AND” and substitute a period; and in line 18, strike the semicolon and substitute a period.

On page 35 of the Budget and Taxation Committee Amendments, in lines 2 and 10 and 11, in each instance, strike “; AND” and substitute a period; in line 3, strike “(8)” and substitute “(5)”; in lines 6 and 15, in each instance, strike “TO” and substitute “SHALL BE DISTRIBUTED TO”; and in line 21, strike “(D)” and substitute “(E)”.