

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 676

(Senator Colburn)

Education, Health, and Environmental Affairs

Ways and Means

37th District - Straw Ballots

This bill requires the local board of elections for Talbot and Dorchester counties to place the following questions on the November 2004 general election ballot: (1) whether the Talbot County Board of Education should remain an appointed board or change to an elected board; and (2) whether to locate video lottery terminals (VLTs) licensed by the State in Dorchester County for commercial gaming purposes. The vote is advisory only.

The bill is effective July 1, 2004.

Fiscal Summary

State Effect: None.

Local Effect: The local board of elections in Talbot and Dorchester counties could include the question on the county's November 2004 ballots with existing resources.

Small Business Effect: None.

Analysis

Current Law: The Talbot County Board of Education consists of seven voting members appointed by the Governor and one nonvoting student member. Voting members serve five-year terms, and the student member serves a one-year term. With the approval of the Governor, the State Superintendent of Schools may remove a board member for immorality, misconduct in office, incompetency, willful neglect of duty, or failure to

attend board meetings. If one of the seven voting members vacates the position, the Governor appoints a replacement.

In 1987, legislation authorized certain nonprofit organizations to operate slot machines in the following counties: Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, and Wicomico. The nonprofit organization must be located in the county for at least five years prior to the application of a license and must be a fraternal, religious, or war veterans' organization. In order to operate a slot machine, the organization must obtain a license from the sheriff's office and pay a fee of \$50 per machine annually to the applicable county.

An organization may not own more than five slot machines and must own each slot machine in operation. The slot machines must be located at the principal meeting hall of the organization and cannot be operated at a private commercial facility. One-half of the proceeds generated from slot machines must go to charity.

VLTs for commercial gaming purposes are not authorized anywhere in the State.

Background: The Talbot County Board of Education is one of 11 appointed school boards in the State. Another 12 local boards of education are elected, and one, the Worcester County board, is in the process of transitioning from an appointed board to an elected board, which will be complete following the 2004 general election. The selection methods and number of school board members for the 24 local boards are shown in **Exhibit 1**.

Over the past several legislative sessions, various proposals have been introduced to authorize VLTs at the State's horse racing tracks or other tourist destinations in the State. Numerous states have authorized VLT gambling. For more information on prior year introductions and other state VLT regimes, consult the *Legislators' Guide to Video Lottery Terminal Gaming*.

Additional Information

Prior Introductions: None.

Cross File: HB 1357 (Delegates Haddaway and Eckardt) – Ways and Means.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - March 15, 2004
mam/hlb Revised - Senate Third Reader - March 29, 2004

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Exhibit 1

Local Board of Education Membership

	Full Voting Members	Elected Members			Student Member(s)	Years of Terms
		Appointed Members	At Large	From Districts		
County						
Allegany	5	0	5	0	1	4
Anne Arundel	7	7	0	0	1	5
Baltimore City	9	9	0	0	1	3
Baltimore	11	11	0	0	1	5
Calvert	5	0	2	3	1	4
Caroline	5	5	0	0	0	5
Carroll	5	0	5	0	1	4
Cecil ¹	5	5	0	0	1	5
Charles	7	0	7	0	1	4
Dorchester ²	6	6	0	0	2	5
Frederick	7	0	7	0	1	4
Garrett	5	0	2	3	1	4
Harford	7	7	0	0	1	5
Howard	5	0	5	0	0	4
Kent	5	0	5	0	0	6
Montgomery	7	0	2	5	1	4
Prince George's ³	9	9	0	0	1	4
Queen Anne's	5	5	0	0	0	5
St. Mary's	5	0	1	4	1	4
Somerset	5	0	0	5	2	4
Talbot	7	7	0	0	1	5
Washington	7	0	7	0	1	4
Wicomico	7	7	0	0	0	5
Worcester ⁴	7	3	0	4	3	4

¹ A referendum to change the Cecil County Board of Education to an elected board will be on the 2004 general election ballot.

² The Dorchester County Board of Education is changing from an appointed board to an elected board. The transition will begin at the 2004 general election and be complete following the 2006 general election.

³ In 2006 the Prince George's County Board of Education will revert to an elected board.

⁴ The Worcester County Board of Education is in the process of changing from an appointed board to an elected board. The process will be complete following the 2004 general election.

Source: Department of Legislative Services, November 2003