

HOUSE BILL 4

C7

CONSTITUTIONAL AMENDMENT

8lr0265

CF SB 4

By: **The Speaker (By Request – Administration)**

Introduced and read first time: October 29, 2007

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: November 10, 2007

CHAPTER _____

1 AN ACT concerning

2 **Video Lottery Terminals – Authorization and Limitations**

3 FOR the purpose of adding a new article to the Maryland Constitution to authorize
4 video lottery terminal gaming in the State for the primary purpose of providing
5 funds for public education; limiting the number of licenses that the State may
6 issue to operate video lottery terminals; limiting the number of locations at
7 which video lottery terminal facilities may be located; requiring a video lottery
8 facility to comply with applicable planning and zoning laws of the local
9 jurisdiction; limiting the number of video lottery terminals that may be
10 authorized in the State; providing that the statutory addition or expansion of
11 forms of commercial gaming by the General Assembly is prohibited except as
12 provided by this Act; providing that the General Assembly may enact certain
13 laws not inconsistent with certain provisions as may be necessary and proper to
14 carry out certain provisions; defining a certain term; and submitting this
15 amendment to the qualified voters of the State of Maryland for their adoption or
16 rejection.

17 BY proposing an addition to the Maryland Constitution

18 New Article XIX – Video Lottery Terminals

19 Section 1

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, (Three-fifths of all the members elected to each of the two Houses
22 concurring), That it be proposed that the Maryland Constitution read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (I) ANNE ARUNDEL COUNTY, WITHIN 2 MILES OF MD
2 ROUTE 295;

3 (II) CECIL COUNTY, WITHIN 2 MILES OF INTERSTATE 95;

4 (III) WORCESTER COUNTY, WITHIN 1 MILE OF THE
5 INTERSECTION OF ROUTE 50 AND ROUTE 589;

6 (IV) ON STATE PROPERTY ~~ASSOCIATED WITH THE ROCKY~~
7 ~~GAP LODGE AND GOLF RESORT~~ LOCATED WITHIN ROCKY GAP STATE PARK IN
8 ALLEGANY COUNTY; OR

9 ~~(V) BALTIMORE CITY, IN A NONRESIDENTIAL AREA WITHIN~~
10 ~~ONE-HALF MILE OF INTERSTATE 95 AND MD ROUTE 295, AND NOT ADJACENT~~
11 ~~TO OR WITHIN ONE-QUARTER MILE OF RESIDENTIAL PROPERTY.~~

12 (V) BALTIMORE CITY, IF THE VIDEO LOTTERY FACILITY IS:

13 1. LOCATED:

14 A. IN A NONRESIDENTIAL AREA;

15 B. WITHIN ONE-HALF MILE OF INTERSTATE 95;

16 C. WITHIN ONE-HALF MILE OF MD ROUTE 295; AND

17 D. ON PROPERTY THAT IS OWNED BY BALTIMORE
18 CITY ON THE DATE ON WHICH THE APPLICATION FOR A VIDEO LOTTERY
19 OPERATION LICENSE IS SUBMITTED; AND

20 2. NOT ADJACENT TO OR WITHIN ONE-QUARTER
21 MILE OF PROPERTY THAT IS:

22 A. ZONED FOR RESIDENTIAL USE; AND

23 B. USED FOR A RESIDENTIAL DWELLING ON THE
24 DATE THE APPLICATION FOR A VIDEO LOTTERY OPERATION LICENSE IS
25 SUBMITTED.

26 (4) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION,
27 THE STATE MAY NOT AWARD MORE THAN ONE VIDEO LOTTERY OPERATION
28 LICENSE IN A SINGLE COUNTY OR BALTIMORE CITY.

1 **(5) A VIDEO LOTTERY FACILITY SHALL COMPLY WITH ALL**
 2 **APPLICABLE PLANNING AND ZONING LAWS OF THE LOCAL JURISDICTION.**

3 **(D) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, ON OR**
 4 **AFTER NOVEMBER 15, 2008, THE GENERAL ASSEMBLY MAY NOT AUTHORIZE**
 5 **ANY ADDITIONAL FORMS OR EXPANSION OF COMMERCIAL GAMING.**

6 **(E) THE GENERAL ASSEMBLY MAY ONLY AUTHORIZE ADDITIONAL**
 7 **FORMS OR EXPANSION OF COMMERCIAL GAMING IF APPROVAL IS GRANTED**
 8 **THROUGH A REFERENDUM, AUTHORIZED BY AN ACT OF THE GENERAL**
 9 **ASSEMBLY, IN A GENERAL ELECTION BY A MAJORITY OF THE QUALIFIED**
 10 **VOTERS IN THE STATE.**

11 **(F) THE GENERAL ASSEMBLY MAY, FROM TIME TO TIME, ENACT SUCH**
 12 **LAWS NOT INCONSISTENT WITH THIS SECTION, AS MAY BE NECESSARY AND**
 13 **PROPER TO CARRY OUT ITS PROVISIONS.**

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

19 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
 20 proposed as an amendment to the Maryland Constitution shall be submitted to the
 21 legal and qualified voters of this State at the next general election to be held in
 22 November, 2008 for their adoption or rejection pursuant to Article XIV of the
 23 Maryland Constitution. At that general election, the vote on this proposed amendment
 24 to the Constitution shall be by ballot, and upon each ballot there shall be printed the
 25 words "For the Constitutional Amendment" and "Against the Constitutional
 26 Amendment," as now provided by law. Immediately after the election, all returns shall
 27 be made to the Governor of the vote for and against the proposed amendment, as
 28 directed by Article XIV of the Maryland Constitution, and further proceedings had in
 29 accordance with Article XIV.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.