

# HOUSE BILL 1553

C7, C6

9lr3350

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By: **Delegates Conway, Mathias, and Elmore**

Rules suspended

Introduced and read first time: March 10, 2009

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, March 16, 2009

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Worcester County – Video Lottery Operations ~~– Horse Racing~~**

3 FOR the purpose of ~~altering the amounts that horse racing licensees must invest~~  
4 ~~annually in thoroughbred and standardbred racing facilities to be eligible for~~  
5 ~~funding from certain proceeds of video lottery terminals; requiring that a~~  
6 ~~certain employee hiring preference be followed for a video lottery facility in~~  
7 ~~Worcester County; repealing a requirement that the State Lottery Commission~~  
8 ~~deny a video lottery employee license to an applicant who is disqualified due to~~  
9 ~~a lack of certain expertise or training; altering certain responsibilities of a video~~  
10 ~~lottery operation licensee; repealing the requirement that the Mayor of the~~  
11 ~~Town of Ocean City participate in the appointment of a certain local~~  
12 ~~development council; requiring, instead of authorizing, the State to pay for~~  
13 ~~certain reasonable transportation costs; altering the manner in which a certain~~  
14 ~~local impact grant is to be distributed under certain circumstances; and~~  
15 ~~generally relating to video lottery operations and horse racing in Worcester~~  
16 County.

17 BY repealing and reenacting, with amendments,

18 Article – State Government

19 Section ~~9-1A-09(b)(5), 9-1A-10(a)(5), 9-1A-14(c), 9-1A-23(b),~~  
20 ~~9-1A-31(c)(3)(ii), and 9-1A-32(a)~~

21 Annotated Code of Maryland

22 (2004 Replacement Volume and 2008 Supplement)

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### 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 BY repealing and reenacting, with amendments,  
 2 Chapter 4 of the Acts of the General Assembly of the 2007 Special Session  
 3 Section 8A

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

6 **Article - State Government**

7 ~~9-1A-09.~~

8 ~~(b) As a condition of eligibility for funding under § 9-1A-29 of this subtitle, a~~  
 9 ~~racing licensee shall:~~

10 ~~(5) develop and submit to the State Racing Commission a multiyear~~  
 11 ~~plan to improve the quality and marketing of horse racing at racetrack locations~~  
 12 ~~owned or operated by the racing licensee in Maryland, which shall include:~~

13 ~~(i) goals, indicators, and timelines for specific actions that will~~  
 14 ~~be taken by the racing licensee to improve the quality and marketing of the horse~~  
 15 ~~racing industry in Maryland; and~~

16 ~~(ii) a master plan for capital improvements that reflects, at a~~  
 17 ~~minimum:~~

18 ~~1. commitments that have been made to the State~~  
 19 ~~Racing Commission; and~~

20 ~~2. an ongoing ANNUAL investment in capital~~  
 21 ~~maintenance and improvements in the horse racing facilities of at least [\$1,500,000~~  
 22 ~~annually] \$1,000,000 FOR THOROUGHBRED RACING FACILITIES AND \$500,000~~  
 23 ~~FOR STANDARD BRED RACING FACILITIES, which may include amounts provided as~~  
 24 ~~a matching fund as required under § 9-1A-29(c)(2) of this subtitle; and~~

25 ~~9-1A-10.~~

26 ~~(a) (5) (I) Notwithstanding any collective bargaining agreement or~~  
 27 ~~agreements, a licensee shall:~~

28 ~~[(i)] 1. provide health insurance coverage for its employees;~~  
 29 ~~and~~

30 ~~[(ii)] 2. EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF~~  
 31 ~~THIS PARAGRAPH, give a preference to hiring qualified employees from the~~  
 32 ~~communities within 10 miles of the video lottery facility.~~

1                   ~~(H) FOR A VIDEO LOTTERY FACILITY IN WORCESTER~~  
2 ~~COUNTY, A PREFERENCE SHALL BE GIVEN TO HIRING QUALIFIED EMPLOYEES~~  
3 ~~FROM WORCESTER COUNTY OR WICOMICO COUNTY.~~

4 ~~9-1A-14.~~

5           ~~(e) The Commission shall deny a video lottery employee license to an~~  
6 ~~applicant who is disqualified due to:~~

7                   ~~(1) the applicant's failure to prove the applicant's good character,~~  
8 ~~honesty, and integrity;~~

9                   ~~(2) [the applicant's lack of expertise or training to be a video lottery~~  
10 ~~employee;~~

11                   ~~(3) the applicant's conviction for any crime involving moral turpitude~~  
12 ~~or gambling under the laws of the United States or any state;~~

13                   ~~[(4)] (3) the applicant's current prosecution for any crime involving~~  
14 ~~moral turpitude or gambling under the laws of the United States or any state, but, at~~  
15 ~~the request of the applicant, the Commission may defer a decision on the application~~  
16 ~~during the pendency of the charge;~~

17                   ~~[(5)] (4) pursuit by the applicant of economic gain in an occupational~~  
18 ~~manner or context that is in violation of the laws of the State, if the pursuit creates a~~  
19 ~~reasonable belief that participation of the applicant in video lottery operations would~~  
20 ~~be inimical to the policies of this subtitle;~~

21                   ~~[(6)] (5) identification of the applicant as a career offender or a~~  
22 ~~member of a career offender cartel or an associate of a career offender or career~~  
23 ~~offender cartel in a manner that creates a reasonable belief that the association is of a~~  
24 ~~nature as to be inimical to the policies of this subtitle;~~

25                   ~~[(7)] (6) commission of an act by the applicant that would constitute~~  
26 ~~an offense described under item [(3)](2) of this subsection, even if the act has not been~~  
27 ~~or may not be prosecuted under the criminal laws of the State;~~

28                   ~~[(8)] (7) willful defiance by the applicant or a person that is required~~  
29 ~~to be qualified under this subtitle as a condition of a license of a legislative~~  
30 ~~investigatory body or other official investigatory body of the United States or a~~  
31 ~~jurisdiction within the United States when the body is engaged in the investigation of~~  
32 ~~crimes relating to gambling, official corruption, or organized crime activity; and~~

33                   ~~[(9)] (8) any other reason established in the regulations of the~~  
34 ~~Commission as a reason for denying a license.~~

35 ~~9-1A-23.~~

