

# SENATE BILL 50

C7

9lr1008

(PRE-FILED)

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By: **Senators Klausmeier and Colburn**

Requested: November 14, 2008

Introduced and read first time: January 14, 2009

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 2009

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

1 AN ACT concerning

2 **Commission Advisory Board on Gambling Addiction**

3 FOR the purpose of establishing ~~a Commission~~ an Advisory Board on Gambling  
4 Addiction in the Department of Health and Mental Hygiene; providing for the  
5 membership, terms, quorum, ~~and meetings~~ meetings, and removal of members  
6 of the ~~Commission~~ Advisory Board; providing ~~Commission~~ Advisory Board  
7 members with reimbursement for expenses under certain circumstances;  
8 ~~specifying that the purpose of the Commission is to study the effects of~~  
9 ~~individuals who are addicted to gambling, to measure the cost of gambling~~  
10 ~~addiction, and requiring the Advisory Board to propose certain solutions;~~  
11 solutions and advise the Department on certain prevalence studies; authorizing  
12 the ~~Commission~~ Advisory Board to consult with certain units of State  
13 government and establish certain committees or task forces; requiring the  
14 ~~Commission~~ Advisory Board to develop certain plans and studies, promote  
15 collaboration and coordination with certain programs, and perform certain other  
16 tasks; requiring the ~~Commission~~ Advisory Board to submit a certain report to  
17 the Governor and the General Assembly by a certain date; requiring the  
18 Department to adopt certain regulations; providing for the staggering of the  
19 terms of certain members of the ~~Commission~~ Advisory Board; defining a certain  
20 term; providing for the payment of the costs of the Advisory Board; and  
21 generally relating to the ~~Commission~~ Advisory Board on Gambling Addiction.

22 BY adding to

23 Article – Health – General

24 Section 19–805

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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 Annotated Code of Maryland  
2 (2005 Replacement Volume and 2008 Supplement)

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

5 **Article - Health - General**

6 **19-805.**

7 (A) IN THIS SECTION, "~~COMMISSION~~ ADVISORY BOARD" MEANS THE  
8 COMMISSION ADVISORY BOARD ON GAMBLING ADDICTION.

9 (B) THERE IS ~~A COMMISSION~~ AN ADVISORY BOARD ON GAMBLING  
10 ADDICTION IN THE DEPARTMENT.

11 (C) ~~THE COMMISSION~~ ADVISORY BOARD CONSISTS OF 17 VOTING  
12 MEMBERS AND 3 NONVOTING MEMBERS.

13 (D) THE VOTING MEMBERS ARE:

14 (1) SEVEN MEMBERS OF THE PUBLIC WITH RELEVANT INTEREST  
15 OR EXPERTISE IN THE PROBLEMS POSED BY GAMBLING ADDICTION, APPOINTED  
16 BY THE GOVERNOR INCLUDING THREE REPRESENTATIVES OF NONPROFIT  
17 ORGANIZATIONS THAT WORK WITH CHILDREN; AND

18 (2) THE FOLLOWING MEMBERS, WHO SHALL SERVE EX OFFICIO:

19 (I) THE SECRETARY OF HEALTH AND MENTAL HYGIENE,  
20 OR THE SECRETARY'S DESIGNEE;

21 (II) THE SECRETARY OF PUBLIC SAFETY AND  
22 CORRECTIONAL SERVICES, OR THE SECRETARY'S DESIGNEE;

23 (III) THE SECRETARY OF JUVENILE SERVICES, OR THE  
24 SECRETARY'S DESIGNEE;

25 (IV) THE SECRETARY OF HUMAN RESOURCES, OR THE  
26 SECRETARY'S DESIGNEE;

27 (V) THE SECRETARY OF BUDGET AND MANAGEMENT, OR  
28 THE SECRETARY'S DESIGNEE;

29 (VI) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE  
30 SUPERINTENDENT'S DESIGNEE;

1                   (VII) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S  
2 OFFICE FOR CHILDREN, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

3                   (VIII) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S  
4 OFFICE OF CRIME CONTROL AND PREVENTION, OR THE EXECUTIVE  
5 DIRECTOR'S DESIGNEE;

6                   (IX) ONE MEMBER OF THE SENATE OF MARYLAND,  
7 APPOINTED BY THE PRESIDENT OF THE SENATE; AND

8                   (X) ONE MEMBER OF THE HOUSE OF DELEGATES,  
9 APPOINTED BY THE SPEAKER OF THE HOUSE.

10           (E) THE NONVOTING MEMBERS, WHO SHALL SERVE EX OFFICIO, ARE:

11                   (1) THE DIRECTOR OF THE MENTAL HYGIENE ADMINISTRATION;

12                   (2) THE DIRECTOR OF THE DIVISION OF PAROLE AND  
13 PROBATION; AND

14                   (3) THE ASSISTANT SECRETARY OF TREATMENT SERVICES OF  
15 THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

16           (F) (1) THE TERM OF A MEMBER WHO DOES NOT SERVE EX OFFICIO IS  
17 3 YEARS AND BEGINS ON JULY 1.

18                   (2) THE TERMS OF MEMBERS WHO DO NOT SERVE EX OFFICIO  
19 ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON  
20 OCTOBER 1, 2009.

21                   (3) A MEMBER WHO DOES NOT SERVE EX OFFICIO MAY SERVE  
22 NOT MORE THAN TWO CONSECUTIVE TERMS.

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

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

28           (G) THE GOVERNOR MAY REMOVE ANY MEMBER FOR INCOMPETENCE  
29 OR NEGLECT.

1 (H) THE GOVERNOR SHALL APPOINT ONE OF THE MEMBERS TO SERVE  
2 AS CHAIR OF THE ~~COMMISSION~~ ADVISORY BOARD.

3 (I) (1) A MAJORITY OF THE VOTING MEMBERS OF THE ~~COMMISSION~~  
4 ADVISORY BOARD IS A QUORUM.

5 (2) THE ~~COMMISSION~~ ADVISORY BOARD SHALL MEET AT LEAST  
6 FOUR TIMES EACH YEAR.

7 (3) THE ~~COMMISSION~~ ADVISORY BOARD SHALL SET THE TIMES  
8 AND PLACES OF ITS MEETINGS.

9 (J) EACH MEMBER OF THE ADVISORY BOARD MAY NOT RECEIVE  
10 COMPENSATION AS A MEMBER OF THE ADVISORY BOARD BUT IS ENTITLED TO  
11 REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL  
12 REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

13 (K) THE ~~COMMISSION~~ ADVISORY BOARD SHALL:

14 (1) ~~STUDY THE EFFECTS OF INDIVIDUALS WHO ARE SO ADDICTED~~  
15 ~~TO GAMBLING THAT THEIR ADDICTION SERIOUSLY DISRUPTS THEIR LIVES AND~~  
16 ~~THE LIVES OF THEIR FAMILIES;~~

17 (2) ~~MEASURE THE COST OF GAMBLING ADDICTION TO THE~~  
18 ~~TAXPAYERS OF MARYLAND; AND~~

19 (3) ~~PROPOSE SOLUTIONS TO THE THREAT GAMBLING ADDICTION~~  
20 ~~POSES TO THE RESIDENTS OF THE STATE; AND~~

21 (2) ADVISE THE DEPARTMENT ON ITS PREVALENCE STUDIES  
22 UNDER § 19-804 OF THIS SUBTITLE.

23 (L) THE ~~COMMISSION~~ ADVISORY BOARD MAY:

24 (1) CONSULT WITH UNITS OF STATE GOVERNMENT TO OBTAIN  
25 TECHNICAL ASSISTANCE AND ADVICE; AND

26 (2) ESTABLISH COMMITTEES OR TASK FORCES THAT IT  
27 CONSIDERS NECESSARY AND DESIGNATE ADDITIONAL INDIVIDUALS, INCLUDING  
28 INTERESTED STATE RESIDENTS, ELECTED OFFICIALS, EDUCATORS, OR  
29 SPECIALISTS WITH RELEVANT EXPERTISE TO SERVE ON THE COMMITTEES.

30 (M) THE ~~COMMISSION~~ ADVISORY BOARD SHALL:

1           (1) ~~DEVELOP A COMPREHENSIVE, COORDINATED, AND~~  
2 ~~COLLABORATIVE APPROACH TO THE USE OF STATE AND LOCAL RESOURCES FOR~~  
3 ~~THE PREVENTION OF, INTERVENTION IN, AND TREATMENT OF GAMBLING~~  
4 ~~ADDICTION AMONG THE RESIDENTS OF THE STATE; ADVISE THE DEPARTMENT~~  
5 ~~AS IT DEVELOPS AND IMPLEMENTS PROBLEM GAMBLING TREATMENT AND~~  
6 ~~PREVENTION PROGRAMS UNDER § 9-1A-33 OF THE STATE GOVERNMENT~~  
7 ~~ARTICLE;~~

8           (2) PROMOTE THE COORDINATED PLANNING AND DELIVERY OF  
9 STATE PREVENTION, INTERVENTION, EVALUATION, AND TREATMENT  
10 RESOURCES TO COMBAT GAMBLING ADDICTION;

11           (3) PROMOTE COLLABORATION AND COORDINATION BY  
12 APPROPRIATE STATE PROGRAMS WITH LOCAL GAMBLING TREATMENT  
13 PROGRAMS;

14           (4) ~~IDENTIFY, DEVELOP, AND RECOMMEND THE~~  
15 ~~IMPLEMENTATION OF COMPREHENSIVE, SYSTEMIC IMPROVEMENT IN~~  
16 ~~PROVIDING PREVENTION, INTERVENTION, AND TREATMENT SERVICES FOR~~  
17 ~~GAMBLING ADDICTS;~~

18           (5) ~~PREPARE A STUDY TO MEASURE THE COSTS, BOTH IN HUMAN~~  
19 ~~AND FINANCIAL TERMS, OF GAMBLING ADDICTION IN THE STATE;~~

20           (6) ~~PREPARE A PLAN~~ ADVISE THE DEPARTMENT IN  
21 ESTABLISHING PRIORITIES AND STRATEGIES FOR THE DELIVERY AND FUNDING  
22 OF STATE PREVENTION, INTERVENTION, AND TREATMENT SERVICES FOR  
23 GAMBLING ADDICTS;

24           (7) (5) COORDINATE WITH THE GOVERNOR'S GRANTS OFFICE IN  
25 EFFORTS TO SEEK FUNDS FROM ALL APPROPRIATE SOURCES FOR THE  
26 PREVENTION OF, INTERVENTION IN, AND TREATMENT OF GAMBLING  
27 ADDICTION; AND

28           (8) (6) RECEIVE, REVIEW, AND SERVE AS A REPOSITORY FOR  
29 STUDIES AND EVALUATIONS OF STATE AND LOCAL GAMBLING ADDICTION  
30 PROGRAMS AND OTHER RELEVANT MATERIALS AND MAKE THE INFORMATION  
31 AVAILABLE TO UNITS OF STATE AND LOCAL GOVERNMENT.

32           (N) ON OR BEFORE JULY 1, 2010, AND FOR EVERY YEAR THEREAFTER,  
33 THE ~~COMMISSION~~ ADVISORY BOARD SHALL SUBMIT A REPORT ON ITS  
34 PROGRESS TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE  
35 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

1           **(O) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT**  
 2 **THIS SECTION.**

3           SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the  
 4 members of the ~~Commission~~ Advisory Board on October 1, 2009, not serving ex officio  
 5 end as follows:

- 6                   (1) two on September 30, 2010;  
 7                   (2) two on September 30, 2011; and  
 8                   (3) three on September 30, 2012.

9           SECTION 3. AND BE IT FURTHER ENACTED, That the Secretary of Health  
 10 and Mental Hygiene shall pay for the costs of the Advisory Board on Gambling  
 11 Addiction under Section 19-805 of the Health – General Article from the money in the  
 12 Problem Gambling Fund under § 9-1A-33 of the State Government Article available  
 13 for research and prevalence studies under § 19-804 of the Health – General Article.

14           SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take  
 15 effect June 1, 2009.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.