

HOUSE BILL 1020

C7

3lr1306

By: **Delegates Rosenberg, Carter, Conaway, Oaks, B. Robinson, and Tarrant**
Introduced and read first time: February 8, 2013
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Video Lottery Terminal Proceeds – Local Impact Grants**

3 FOR the purpose of altering the manner in which certain local impact grants provided
4 from proceeds of video lottery terminals are to be distributed in Baltimore City;
5 authorizing certain portions of the grants to be distributed to maintain and
6 improve public facilities and places; specifying that a certain portion of the
7 grants to a neighborhood in the Northwest Community Planning Forum
8 Strategic Neighborhood Action Plan be distributed in a manner that is
9 consistent with that plan; authorizing a certain portion of the grants to be
10 distributed to a certain neighborhood after a certain video lottery operation
11 license is issued; requiring that a public hearing be held on a certain plan to
12 allocate certain funds; authorizing the Mayor and City Council of Baltimore
13 City to alter certain recommendations of the local development council under
14 certain circumstances; and generally relating to the distribution of video lottery
15 local impact grants in Baltimore City.

16 BY repealing and reenacting, with amendments,
17 Article – State Government
18 Section 9–1A–31
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2012 Supplement)

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

23 **Article – State Government**

24 9–1A–31.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) Except as provided in paragraph (4) of this subsection, the local
2 impact grants provided under § 9–1A–27 of this subtitle shall be distributed in the
3 following manner:

4 (i) 82% to the local jurisdictions with video lottery facilities,
5 based on each jurisdiction's percentage of overall gross revenues from video lottery
6 terminals; and

7 (ii) except as provided in paragraph (2) of this subsection, for
8 operations at a video lottery facility starting in fiscal year 2012 and ending in fiscal
9 year 2032, 18% to Baltimore City with the Pimlico Community Development Authority
10 acting as the local development council in accordance with subsection (d) of this
11 section, to be distributed primarily for capital projects benefiting economic and
12 community development in the following manner:

13 1. at least 75% in a manner that is consistent with the
14 Park Heights Master Plan **OR TO MAINTAIN AND IMPROVE PUBLIC FACILITIES**
15 **AND PLACES;** and

16 2. the remainder dedicated to the needs of:

17 A. any census blockgroup that Baltimore City identifies
18 as being located partly or entirely within 1 mile of Pimlico Race Course but not within
19 the boundaries of the Park Heights Master Plan; [and]

20 B. any neighborhood included in the Northwest
21 Community Planning Forum Strategic Neighborhood Action Plan **IN A MANNER THAT**
22 **IS CONSISTENT WITH THE NORTHWEST COMMUNITY PLANNING FORUM**
23 **STRATEGIC NEIGHBORHOOD ACTION PLAN OR TO MAINTAIN AND IMPROVE**
24 **PUBLIC FACILITIES AND PLACES; AND**

25 C. **BEGINNING AFTER A VIDEO LOTTERY OPERATION**
26 **LICENSE IS ISSUED TO A VIDEO LOTTERY FACILITY IN BALTIMORE CITY, ANY**
27 **NEIGHBORHOOD WITHIN AN AREA BOUNDED BY LIBERTY HEIGHTS AVENUE,**
28 **NORTHERN PARKWAY, DRUID PARK DRIVE, AND WABASH AVENUE.**

29 (2) (i) Of the amount specified under paragraph (1)(ii) of this
30 subsection, \$1,000,000 shall be provided annually to Prince George's County to be used
31 for public safety projects in the community within 5 miles surrounding Rosecroft
32 Raceway.

33 (ii) The Legislative Policy Committee shall report its findings
34 and recommendations concerning the advisability of the continuation of the
35 distribution of funds after fiscal year 2032 to the Comptroller and, in accordance with
36 § 2–1246 of this article, the General Assembly, on or before November 1, 2030.

1 (3) Baltimore City and Prince George's County shall report to the
2 Legislative Policy Committee by December 31 of each year as to the distribution of the
3 funds provided under this section.

4 (4) Beginning after a video lottery operation license is issued to a
5 video lottery facility in Baltimore City, 100% of the local impact grants provided under
6 § 9-1A-27 of this subtitle from the proceeds of the video lottery facilities located in
7 Allegany, Cecil, and Worcester counties shall be distributed to the local jurisdictions in
8 which those video lottery facilities are located.

9 (b) (1) Except as otherwise provided in paragraphs (2) and (3) of this
10 subsection, local impact grants provided under subsection (a)(1)(i) of this section shall
11 be used for improvements primarily in the communities in immediate proximity to the
12 video lottery facilities and may be used for the following purposes:

13 (i) infrastructure improvements;

14 (ii) facilities;

15 (iii) public safety;

16 (iv) sanitation;

17 (v) economic and community development, including housing;

18 and

19 (vi) other public services and improvements.

20 (2) In Allegany County, local impact grants provided under subsection
21 (a)(1)(i) of this section may be used:

22 (i) for purposes listed in paragraph (1) of this subsection
23 throughout the county; and

24 (ii) to pay down the debt incurred by the county in the
25 construction and related costs for the golf course, lodge, and other improvements in
26 Rocky Gap State Park.

27 (3) In Baltimore City, local impact grants provided under subsection
28 (a)(1)(i) of this section shall be used for improvements in the communities in
29 immediate proximity to the video lottery facility and may be used for the following
30 purposes:

31 (i) infrastructure improvements;

32 (ii) facilities;

- 1 (iii) public safety;
- 2 (iv) sanitation;
- 3 (v) economic and community development, including housing;
- 4 and
- 5 (vi) other public services and improvements.

6 (c) (1) A local development council shall be established in each geographic
7 area where a video lottery facility is located.

8 (2) Subject to paragraph (3) of this subsection, a local development
9 council shall consist of the following 15 members appointed by the chief executive of
10 the county in which the local development council is located, in consultation with the
11 Senators and Delegates who represent the communities surrounding the facility and
12 the respective county councils, city councils, or county commissioners:

13 (i) one Senator who represents the district where the facility is
14 located;

15 (ii) two Delegates who represent the districts where the
16 communities surrounding the facility are located;

17 (iii) one representative of the video lottery operation licensee;

18 (iv) seven residents of the communities in immediate proximity
19 to the facility; and

20 (v) four representatives of businesses or institutions located in
21 immediate proximity to the facility.

22 (3) (i) If the video lottery facility is at a racetrack location at
23 Laurel Park, the County Executive of Anne Arundel County, the County Executive of
24 Prince George's County, and the County Executive of Howard County shall jointly
25 appoint the local development council.

26 (ii) If the video lottery facility is at a racetrack location at the
27 Ocean Downs Race Course:

28 1. the County Commissioners of Worcester County shall
29 appoint the local development council;

30 2. the Senator or the Senator's designee shall serve as a
31 member of the local development council; and

1 3. the Delegates or the Delegates' designees shall serve
2 as members of the local development council.

3 (d) (1) Prior to any expenditure of local impact grant funds provided
4 under § 9-1A-27 of this subtitle, a county or municipality shall develop, in
5 consultation with the local development council, a multiyear plan for the expenditure
6 of the local impact grant funds for services and improvements consistent with
7 subsection (b) of this section.

8 (2) A county or municipality shall submit the plan to the local
9 development council for review and comment before adopting the plan or expending
10 any grant funds.

11 (3) The local development council shall advise the county or
12 municipality on the impact of the facility on the communities and the needs and
13 priorities of the communities in immediate proximity to the facility.

14 (4) (i) A local development council shall have 45 days to review,
15 comment, and make recommendations on the plan required under this subsection.

16 (ii) **[On] EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF**
17 **THIS PARAGRAPH, ON** the request of a local development council, the county or
18 municipality shall hold a public hearing on the plan.

19 **(III) BALTIMORE CITY SHALL HOLD A PUBLIC HEARING ON**
20 **THE PLAN FOR THE EXPENDITURE OF FUNDS ALLOCATED UNDER SUBSECTION**
21 **(A)(1)(II) OF THIS SECTION.**

22 (5) **(I) [A] SUBJECT TO SUBPARAGRAPH (II) OF THIS**
23 **PARAGRAPH, A** county or municipality shall make best efforts to accommodate the
24 recommendations of the local development council and any testimony presented at the
25 hearing before adopting the plan required under this subsection.

26 **(II) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY**
27 **MAY ALTER THE RECOMMENDATIONS OF THE LOCAL DEVELOPMENT COUNCIL IF**
28 **THE RECOMMENDATIONS WOULD RESULT IN UNNECESSARY HARDSHIP OR**
29 **PRACTICAL DIFFICULTY.**

30 (e) A video lottery operation licensee shall provide to the local development
31 council a master plan for the development of the site on which the video lottery facility
32 will be located.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2013.