

# HOUSE BILL 1697

F1, B1, C7

CONSTITUTIONAL AMENDMENT

8lr2632  
CF SB 1122

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By: Delegates McIntosh, Ali, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Branch, Brooks, Busch, Carey, Carr, Chang, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gibson, Gilchrist, Glenn, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jameson, Jones, Kaiser, Kelly, Knotts, Korman, Kramer, Krimm, Lafferty, Lam, J. Lewis, R. Lewis, Lierman, Lisanti, Luedtke, McCray, A. Miller, Moon, Morales, Morhaim, Mosby, Patterson, Pena-Melnyk, Pendergrass, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Waldstreicher, Walker, A. Washington, Wilkins, Wilson, and K. Young

Introduced and read first time: February 15, 2018

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Commercial Gaming Revenues – Constitutional Amendment**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to limit the  
4 uses of certain revenues for the education of the children of the State in certain  
5 grades in public schools to certain purposes; requiring the Governor to include in the  
6 budget submission certain amounts of certain revenues in certain fiscal years as  
7 supplemental funding for certain purposes; requiring that certain funding be in  
8 addition to State funding provided for certain grades in public schools in fiscal year  
9 2020; requiring the Governor, beginning in a certain fiscal year, to identify in the  
10 annual budget as introduced how certain revenues are being used to supplement  
11 certain spending on education in certain grades in public schools; requiring a certain  
12 question to be submitted to the qualified voters of the State at a certain election; and  
13 submitting this amendment to the qualified voters of the State for their adoption or  
14 rejection.

15 BY proposing an amendment to the Maryland Constitution  
16 Article XIX – Video Lottery Terminals  
17 Section 1(c)(1) and (f)

18 BY proposing an addition to the Maryland Constitution  
19 Article XIX – Video Lottery Terminals

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## 1 Section 1(f)

## 2 Preamble

3 WHEREAS, Article VIII, § 1 of the Maryland Constitution requires the General  
4 Assembly to establish throughout the State a thorough and efficient system of free public  
5 schools; and

6 WHEREAS, Article XIX of the Maryland Constitution was ratified by the voters of  
7 Maryland in 2008 to provide State funding for public education from the revenues of video  
8 lottery facilities; and

9 WHEREAS, The voters of Maryland approved a referendum in the 2012 general  
10 election to expand the number of video lottery facilities to six and allow the facilities to offer  
11 table games; and

12 WHEREAS, The Bridge to Excellence in Public Schools Act of 2002 established  
13 funding requirements for the State and local governments in order to provide all students  
14 an opportunity to achieve State standards for academic achievement; and

15 WHEREAS, The Bridge to Excellence in Public Schools Act required the General  
16 Assembly to review and update the funding requirements established in the Act; and

17 WHEREAS, Chapters 701 and 702 of the Acts of the General Assembly of 2016  
18 established the Commission on Innovation and Excellence in Education, which was charged  
19 with, among other responsibilities, updating the funding requirements and making  
20 recommendations that would enable Maryland students to achieve at a globally competitive  
21 level; and

22 WHEREAS, The Commission on Innovation and Excellence in Education has made  
23 preliminary recommendations and will make final recommendations by December 2018,  
24 including ensuring that Maryland public school students receive a world-class education  
25 that prepares them for college, careers, and the global economy of the 21st century; now,  
26 therefore,

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

30 **Article XIX – Video Lottery Terminals**

31 1.

32 (c) (1) Except as provided in subsection (e) of this section, the State may issue  
33 up to five video lottery operation licenses throughout the State for the primary purpose of  
34 raising revenue for:

1 (i) Education for the children of the State in public schools,  
2 prekindergarten through grade 12; AND

3 (ii) Public school construction and public school capital  
4 improvements[; and

5 (iii) Construction of capital projects at community colleges and public  
6 senior higher education institutions].

7 **(F) (1) SUBJECT TO THE REQUIREMENTS OF PARAGRAPHS (2) AND (3) OF**  
8 **THIS SUBSECTION, FROM THE REVENUES RAISED UNDER SUBSECTION (C)(1) OF**  
9 **THIS SECTION AND ANY OTHER COMMERCIAL GAMING REVENUES DEDICATED TO**  
10 **PUBLIC EDUCATION, THE GOVERNOR’S BUDGET SUBMISSION SHALL INCLUDE THE**  
11 **FOLLOWING AMOUNTS AS SUPPLEMENTAL FUNDING FOR PUBLIC EDUCATION:**

12 **(I) FOR FISCAL YEAR 2021, \$125,000,000;**

13 **(II) FOR FISCAL YEAR 2022, \$250,000,000;**

14 **(III) FOR FISCAL YEAR 2023, \$375,000,000; AND**

15 **(IV) FOR FISCAL YEAR 2024 AND FOR EACH FISCAL YEAR**  
16 **THEREAFTER, 100% OF REVENUES RAISED FOR PUBLIC EDUCATION UNDER**  
17 **SUBSECTION (C)(1) OF THIS SECTION AND ANY OTHER COMMERCIAL GAMING**  
18 **REVENUES DEDICATED TO PUBLIC EDUCATION.**

19 **(2) THE SUPPLEMENTAL FUNDING SHALL BE USED TO:**

20 **(I) ENSURE ACCESS TO PUBLIC EDUCATION THAT ALLOWS**  
21 **CHILDREN IN THE STATE TO COMPETE IN THE GLOBAL ECONOMY OF THE FUTURE;**

22 **(II) PROVIDE FUNDING FOR HIGH-QUALITY EARLY CHILDHOOD**  
23 **EDUCATION PROGRAMS;**

24 **(III) PROVIDE OPPORTUNITIES FOR PUBLIC SCHOOL STUDENTS**  
25 **TO PARTICIPATE IN CAREER AND TECHNICAL EDUCATION PROGRAMS THAT LEAD TO**  
26 **AN IDENTIFIED JOB SKILL OR CERTIFICATE;**

27 **(IV) ALLOW STUDENTS TO OBTAIN COLLEGE CREDIT AND**  
28 **DEGREES WHILE IN HIGH SCHOOL AT NO COST TO THE STUDENTS;**

29 **(V) SUPPORT THE ADVANCEMENT AND PROFESSIONALIZATION**  
30 **OF EDUCATORS IN PUBLIC SCHOOLS; AND**

1 (VI) MAINTAIN, RENOVATE, OR CONSTRUCT PUBLIC SCHOOLS.

2 (3) (I) THE SUPPLEMENTAL FUNDING REQUIRED UNDER  
3 PARAGRAPH (1) OF THIS SUBSECTION SHALL BE IN ADDITION TO THE STATE  
4 FUNDING PROVIDED FOR PREKINDERGARTEN THROUGH GRADE 12 IN PUBLIC  
5 SCHOOLS IN FISCAL YEAR 2020.

6 (II) BEGINNING IN FISCAL YEAR 2021 AND FOR EACH FISCAL  
7 YEAR THEREAFTER, THE GOVERNOR SHALL IDENTIFY IN THE ANNUAL BUDGET AS  
8 INTRODUCED HOW THE REVENUE REQUIRED UNDER THIS SECTION IS BEING USED  
9 TO SUPPLEMENT AND NOT SUPPLANT SPENDING ON PUBLIC EDUCATION FOR  
10 PREKINDERGARTEN THROUGH GRADE 12.

11 [(f)] (G) The General Assembly may, from time to time, enact such laws not  
12 inconsistent with this section, as may be necessary and proper to carry out its provisions.

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

17 SECTION 3. AND BE IT FURTHER ENACTED, That:

18 (a) The amendment to the Maryland Constitution proposed by Section 1 of this  
19 Act shall be submitted to the qualified voters of the State at the next general election to be  
20 held in November 2018 for adoption or rejection pursuant to Article XIV of the Maryland  
21 Constitution.

22 (b) (1) At that general election, the vote on the proposed amendment to the  
23 Constitution shall be by ballot, and on each ballot there shall be printed the words “For the  
24 Constitutional Amendment” and “Against the Constitutional Amendment”, as now  
25 provided by law.

26 (2) At that general election, a question substantially similar to the  
27 following shall be submitted to the qualified voters of the State:

28 “Question \_\_\_ – Constitutional Amendment

29 Requiring Commercial Gaming Revenues that are for Public Education to Supplement  
30 Spending for Education in Public Schools

31 Requires the Governor to include in the annual State budget, as supplemental funding for  
32 prekindergarten through grade 12 in public schools, the revenues from video lottery  
33 operation licenses and any other commercial gaming dedicated to public education in an  
34 amount above the level of State funding for education in public schools in fiscal year 2020  
35 in the following amounts: \$125 million in fiscal year 2021; \$250 million in fiscal year 2022;

1 \$375 million in fiscal year 2023; and 100% of commercial gaming revenues dedicated to  
2 public education in fiscal year 2024 and each fiscal year thereafter. State law currently  
3 authorizes video lottery operation licenses for the primary purpose of raising money for  
4 public education. The amendment also requires the Governor to show in the annual budget  
5 how the revenues from video lottery operation licenses and other commercial gaming are  
6 being used in a manner that is in addition to the level of State funding for public education  
7 in fiscal year 2020.”.

8 (c) Immediately after the election, all returns shall be made to the Governor of  
9 the vote for and against the proposed amendment, as directed by Article XIV of the  
10 Maryland Constitution, and further proceedings had in accordance with Article XIV.