

HOUSE BILL 1697

F1, B1, C7

CONSTITUTIONAL AMENDMENT

8lr2632
CF SB 1122

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~~ K. Young, Hornberger, and M. Washington

Introduced and read first time: February 15, 2018

Assigned to: Rules and Executive Nominations

Re-referred to: Appropriations and Ways and Means, February 26, 2018

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 28, 2018

CHAPTER _____

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 certain State funding provided for certain grades in public schools ~~in~~
9 ~~fiscal year 2020~~; requiring the Governor, beginning in a certain fiscal year, to identify
10 in the annual budget as introduced how certain revenues are being used to
11 supplement certain spending on education in certain grades in public schools;
12 requiring a certain question to be submitted to the qualified voters of the State at a

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 certain election; and submitting this amendment to the qualified voters of the State
2 for their adoption or rejection.

3 BY proposing an amendment to the Maryland Constitution
4 Article XIX – Video Lottery Terminals
5 Section 1(c)(1) and (f)

6 BY proposing an addition to the Maryland Constitution
7 Article XIX – Video Lottery Terminals
8 Section 1(f)

9 Preamble

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

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

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

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

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

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

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

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

1 (III) PROVIDE OPPORTUNITIES FOR PUBLIC SCHOOL STUDENTS
 2 TO PARTICIPATE IN CAREER AND TECHNICAL EDUCATION PROGRAMS THAT LEAD TO
 3 AN IDENTIFIED JOB SKILL OR CERTIFICATE;

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

6 (V) SUPPORT THE ADVANCEMENT AND PROFESSIONALIZATION
 7 OF EDUCATORS IN PUBLIC SCHOOLS; AND

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

9 (3) (I) THE SUPPLEMENTAL FUNDING REQUIRED UNDER
 10 PARAGRAPH (1) OF THIS SUBSECTION SHALL BE IN ADDITION TO THE STATE
 11 FUNDING PROVIDED THROUGH THE FUNDING FORMULAS ESTABLISHED IN THE
 12 BRIDGE TO EXCELLENCE IN PUBLIC SCHOOLS ACT OF 2002 FOR
 13 PREKINDERGARTEN THROUGH GRADE 12 IN PUBLIC SCHOOLS ~~IN FISCAL YEAR 2020.~~

14 (II) BEGINNING IN FISCAL YEAR ~~2021~~ 2020 AND FOR EACH
 15 FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL IDENTIFY IN THE ANNUAL
 16 BUDGET AS INTRODUCED HOW THE REVENUE REQUIRED UNDER THIS SECTION IS
 17 BEING USED TO SUPPLEMENT AND NOT SUPPLANT SPENDING ON PUBLIC
 18 EDUCATION FOR PREKINDERGARTEN THROUGH GRADE 12.

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

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

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

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

30 (b) (1) At that general election, the vote on the proposed amendment to the
 31 Constitution shall be by ballot, and on each ballot there shall be printed the words "For the
 32 Constitutional Amendment" and "Against the Constitutional Amendment", as now
 33 provided by law.

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

3 “Question ___ – Constitutional Amendment

4 Requiring Commercial Gaming Revenues that are for Public Education to Supplement
5 Spending for Education in Public Schools

6 Requires the Governor to include in the annual State budget, as supplemental funding for
7 prekindergarten through grade 12 in public schools, the revenues from video lottery
8 operation licenses and any other commercial gaming dedicated to public education in an
9 amount above the level of State funding for education in public schools ~~in fiscal year 2020~~
10 provided by the Bridge to Excellence in Public Schools Act of 2002 (otherwise known as the
11 Thornton legislation) in not less than the following amounts: \$125 million in fiscal year
12 ~~2021~~ 2020; \$250 million in fiscal year ~~2022~~ 2021; \$375 million in fiscal year ~~2023~~ 2022; and
13 100% of commercial gaming revenues dedicated to public education in fiscal year ~~2024~~ 2023
14 and each fiscal year thereafter. State law currently authorizes video lottery operation
15 licenses for the primary purpose of raising money for public education. The amendment
16 also requires the Governor to show in the annual budget how the revenues from video
17 lottery operation licenses and other commercial gaming are being used in a manner that is
18 in addition to the level of State funding for public education ~~in fiscal year 2020~~ provided by
19 the funding formulas established by the Bridge to Excellence in Public Schools Act.”.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.