

SENATE BILL 1122

F1, B1, C7

CONSTITUTIONAL AMENDMENT

8lr2633
CF 8lr2632

By: **Senator Conway**

Introduced and read first time: February 15, 2018

Assigned to: Rules

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

20 Section 1(f)

21 Preamble

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

25 WHEREAS, Article XIX of the Maryland Constitution was ratified by the voters of
26 Maryland in 2008 to provide State funding for public education from the revenues of video

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 lottery facilities; and

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

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

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

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

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

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

23 **Article XIX – Video Lottery Terminals**

24 1.

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

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

30 (ii) Public school construction and public school capital
31 improvements[; and

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

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

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

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

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

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

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

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

16 **(II) PROVIDE FUNDING FOR HIGH-QUALITY EARLY CHILDHOOD**
17 **EDUCATION PROGRAMS;**

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

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

23 **(V) SUPPORT THE ADVANCEMENT AND PROFESSIONALIZATION**
24 **OF EDUCATORS IN PUBLIC SCHOOLS; AND**

25 **(VI) MAINTAIN, RENOVATE, OR CONSTRUCT PUBLIC SCHOOLS.**

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

1 **(II) BEGINNING IN FISCAL YEAR 2021 AND FOR EACH FISCAL**
 2 **YEAR THEREAFTER, THE GOVERNOR SHALL IDENTIFY IN THE ANNUAL BUDGET AS**
 3 **INTRODUCED HOW THE REVENUE REQUIRED UNDER THIS SECTION IS BEING USED**
 4 **TO SUPPLEMENT AND NOT SUPPLANT SPENDING ON PUBLIC EDUCATION FOR**
 5 **PREKINDERGARTEN THROUGH GRADE 12.**

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

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

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

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

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

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

23 “Question ___ – Constitutional Amendment

24 Requiring Commercial Gaming Revenues that are for Public Education to Supplement
 25 Spending for Education in Public Schools

26 Requires the Governor to include in the annual State budget, as supplemental funding for
 27 prekindergarten through grade 12 in public schools, the revenues from video lottery
 28 operation licenses and any other commercial gaming dedicated to public education in an
 29 amount above the level of State funding for education in public schools in fiscal year 2020
 30 in the following amounts: \$125 million in fiscal year 2021; \$250 million in fiscal year 2022;
 31 \$375 million in fiscal year 2023; and 100% of commercial gaming revenues dedicated to
 32 public education in fiscal year 2024 and each fiscal year thereafter. State law currently
 33 authorizes video lottery operation licenses for the primary purpose of raising money for
 34 public education. The amendment also requires the Governor to show in the annual budget
 35 how the revenues from video lottery operation licenses and other commercial gaming are
 36 being used in a manner that is in addition to the level of State funding for public education
 37 in fiscal year 2020.”.

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