

HOUSE BILL 1622

C7, P2

8lr3699
CF SB 383

By: **Delegates Wilson, Ali, Brooks, Glenn, Gutierrez, C. Howard, Jalisi, Lafferty,
R. Lewis, and Sanchez**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Terminals – Minority Business Participation Goals – Sunset**
3 **Extension**

4 FOR the purpose of providing that a certain applicant or licensee is subject to a certain
5 minority business participation goal established for a unit by the Special Secretary
6 for the Office of Small, Minority, and Women Business Affairs under certain
7 provisions of law; requiring that a certain minority business participation goal
8 applies to certain construction and procurement related to video lottery terminals;
9 altering the termination date for certain provisions of law concerning minority
10 business participation for certain construction and procurement related to video
11 lottery terminals; and generally relating to video lottery terminals and minority
12 business participation.

13 BY repealing and reenacting, with amendments,
14 Article – State Government
15 Section 9–1A–10
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2017 Supplement)

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

20 **Article – State Government**

21 9–1A–10.

22 (a) [(1) For the construction and procurement, including the procurement of
23 equipment and ongoing services, related to the operation of video lottery terminals, the
24 applicant or licensee shall at a minimum meet the same requirements of a designated unit

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 for minority business participation as described under Title 14, Subtitle 3 of the State
2 Finance and Procurement Article.]

3 (1) (I) AN APPLICANT OR A LICENSEE IS SUBJECT TO:

4 1. THE MINORITY BUSINESS PARTICIPATION GOAL
5 ESTABLISHED FOR A UNIT BY THE SPECIAL SECRETARY FOR THE OFFICE OF SMALL,
6 MINORITY, AND WOMEN BUSINESS AFFAIRS UNDER § 14-302(A)(1)(II) OF THE
7 STATE FINANCE AND PROCUREMENT ARTICLE; AND

8 2. ANY OTHER CORRESPONDING PROVISIONS OF LAW
9 UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT
10 ARTICLE.

11 (II) THE MINORITY BUSINESS PARTICIPATION GOAL SHALL
12 APPLY TO:

13 1. CONSTRUCTION RELATED TO VIDEO LOTTERY
14 TERMINALS; AND

15 2. PROCUREMENT RELATED TO THE OPERATION OF
16 VIDEO LOTTERY TERMINALS, INCLUDING PROCUREMENT OF EQUIPMENT AND
17 ONGOING SERVICES.

18 (2) If the county in which a video lottery facility will be located has higher
19 minority business participation requirements than the State as described in paragraph (1)
20 of this subsection, the applicant shall meet the county's minority business participation
21 requirements to the extent possible.

22 (3) A county in which a video lottery facility will be located may impose
23 local business, local minority business participation, and local hiring requirements to the
24 extent authorized by local law and permitted by the United States Constitution.

25 (4) Any collective bargaining agreement or agreements, including a project
26 labor agreement or a neutrality agreement, entered into by an applicant or licensee may
27 not negate the requirements of this subsection.

28 (5) If an applicant for employment at a video lottery facility believes that
29 the applicant has been discriminated against in the employment process, the applicant may
30 appeal the employment decision to the local human relations board in the county where the
31 facility is located.

32 (6) Notwithstanding any collective bargaining agreement or agreements, a
33 licensee shall:

1 (i) provide health insurance coverage for its employees; and

2 (ii) give a preference to hiring qualified employees from the
3 communities within 10 miles of the video lottery facility.

4 (7) A licensee shall:

5 (i) provide retirement benefits for its employees; and

6 (ii) if the licensee is a racetrack licensee, provide retirement benefits
7 to its video lottery operation employees that are equivalent to the level of benefits provided
8 to the racetrack employees who are eligible under the Maryland Racetrack Employees
9 Pension Fund.

10 (8) Notwithstanding any collective bargaining agreement or agreements, if
11 the licensee is a racetrack location, the licensee shall provide health insurance coverage to
12 all employees of the racetrack, including the employees of the racetrack on the backstretch
13 of the racetrack.

14 (b) (1) The Commission shall ensure that a video lottery operation licensee
15 complies with the requirements of subsection (a)(1) and (2) of this section as a condition of
16 holding the video lottery operation license.

17 (2) The Governor's Office of Small, Minority, and Women Business Affairs
18 shall monitor a licensee's compliance with subsection (a)(1) and (2) of this section.

19 (3) The Governor's Office of Small, Minority, and Women Business Affairs
20 shall report to the Commission at least every 6 months on the compliance of licensees with
21 subsection (a)(1) and (2) of this section.

22 (4) If the Governor's Office of Small, Minority, and Women Business Affairs
23 reports that a licensee is not in compliance with subsection (a)(1) and (2) of this section, the
24 Commission may take immediate action to ensure the compliance of the licensee.

25 (c) On or after July 1, [2018] **2028**, the provisions of subsections (a)(1) and (2)
26 and (b) of this section and any regulations adopted under subsections (a)(1) and (2) and (b)
27 of this section shall be of no effect and may not be enforced.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
29 1, 2018.