

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/15/2011
Reference No.: CB-049-2011
Draft No.: 2
Proposer(s): Olson, Campos, Harrison
Sponsor(s): Olson, Campos, Harrison, Lehman
Item Title: An Ordinance prohibiting video lottery facilities in Prince George's County

Drafter: Jackie Brown, PZED Committee Director
Resource Personnel: Dannielle Glaros, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 9/27/2011
Committee Referral: 9/27/2011 - PZED

Executive Action:
Effective Date:

Committee Action: 10/11/2011 - FAV(A)

Date Introduced: 10/18/2011
Public Hearing: 11/15/2011 - 10:00 AM

Council Action (1) 11/15/2011 - TABLED
Council Votes: WC:N, DLD:A, MRF:A, AH:N, LJ:-, ML:N, EO:N, OP:A, IT:A, KT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

27-441, 27-461, 27-473, 27-515, 27-539, 27-547

COMMITTEE REPORTS:

PZED Committee Report

Date 10/11/2011

Committee Vote: Favorable as amended, 3-0-2 (In favor: Council Members Olson, Campos and Harrison. Abstain: Council Members Patterson and Toles)

Council staff presented a Proposed Draft-2 (DR-2) which changes the term "Video Lottery Terminal" to "Video Lottery Facility" and informed the committee that State law, Section 9-1A-01 defines "Video Lottery Facility" as "a facility at which players play video lottery terminals under this subtitle." The revised draft addresses a concern raised subsequent to the initial committee meeting that a terminal is not a use, and the term "facility" should be inserted in lieu of "terminal". The County Council's Legislative Officer commented that listing the use as prohibited in the Table of Uses is sufficient to provide that the use is not allowed, and the addition of the use to the list of prohibited uses in Section 27-115 is not necessary.

10/5/2011

Held in committee.

Council staff provided an overview of the legislation and summarized written referral comments that were

received. CB-49-2011 amends the Zoning Ordinance to prohibit video lottery terminals as defined in State law in Prince George's County. Committee Chair Patterson announced that discussion would be held; however, a vote would not be taken on the legislation at this meeting. The vote on this matter would be scheduled for the next scheduled committee meeting.

Council Vice-Chair Olson, the bill's sponsor, informed the committee that the 2008 referendum allowed slot machines in five specific locations in the State and in 2009, he presented legislation to put in the County zoning law what was provided in the referendum. Mr. Olson commented that since the 2009 legislation did not move forward, he was resubmitting the legislation given the new County Council and Administration.

The Office of Law reviewed CB-49-2011 and determined that it is in proper legislative form with no legal impediments to its enactment. Maurene Epps-Webb, Chief Zoning Hearing Examiner, addressed the committee regarding a suggestion that the legislation be amended to prohibit video lottery terminals by adding it to the list of prohibited uses in Section 27-115 of the Zoning Ordinance.

The following individuals spoke in support of CB-49-2011: Delegate Marvin Holmes, Bishop Abraham Mitchum, Pastor Paul Robinson, Pastor Jonathan Weaver, Bob Ross representing NAACP, Venus Bethea, Arthur Turner, and June White Dillard. Joseph Gaskins addressed the committee in opposition to the legislation.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

In 2008, Maryland voters approved a Constitutional amendment to allow casino slot machines in Maryland. This legislation amends the Zoning Ordinance to prohibit video lottery terminals as defined in State law in Prince George's County.

THIS BILL WAS NOT ENACTED.

CODE INDEX TOPICS:

INCLUSION FILES:
