

# MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

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Legislative Document

No. 579

H. P. 404

House of Representatives, January 19, 1961

Referred to the Committee on Legal Affairs. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Gill of South Portland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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AN ACT Creating a Sweepstakes to Aid Public and Private Hospitals.

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Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 87-A, additional. The Revised Statutes are amended by adding a new chapter, to be numbered 87-A, to read as follows:

‘Chapter 87-A

Hospital Sweepstakes

Sec. 1. Hospital Sweepstakes Commission. There is created a hospital commission, here and after in this chapter called the commission, which shall consist of 3 members appointed by the Governor with the advice and consent of the Council. No more than 2 members shall be of the same political party. One member shall be appointed for a term of 3 years or until his successor has been appointed and qualified. One member shall be appointed for a term of 4 years or until his successor has been appointed and qualified. One member shall be appointed for a term of 5 years or until his successor has been appointed and qualified. Any vacancies shall be filled for the unexpired term by the Governor with the advice and consent of the Council. One member shall be appointed by the Governor as chairman and one as secretary. The compensation of the members shall be set by the Governor with the advice and consent of the Council.

Sec. 2. Office. The commission shall have an office in Augusta and, if necessary, may maintain branch offices elsewhere.

Sec. 3. Assistants; limitation. The commission is authorized to employ such assistants and employees as it may deem necessary to provide adequate

policing and to carry out the purposes of this chapter at such compensation on a per diem basis as the commission may prescribe, subject to the Personnel Law.

Sec. 4. Report. The commission shall make an annual report to the Governor on or before the first day of February in each year, including therein an account of its actions, receipts derived under the provisions hereof, the practical effects of the application of this chapter and any recommendation for legislation which the commission deems advisable.

Sec. 5. State pool. There is created a State Revenue-raising Pool to be controlled and operated by the State of Maine and under the supervision of the commission.

Sec. 6. Duties of commission. The commission shall have the duty of establishing and supervising the pool for the purposes set forth in this chapter. It may adopt such rules and regulations as it may deem necessary to carry out the purposes of this chapter. It shall have exclusive control over the printing, distribution and sale of tickets; determination, announcement and payment of prizes; and safeguards to be established for the protection of the State and the public, subject only to the restrictions hereof. Such rules and regulations as may be adopted by the commission shall be by majority vote. The commission shall employ a director to be the executive officer of the commission and who shall have the duty of enforcing the rules and regulations. The director shall keep full and accurate records of all commission meetings, rules and regulations adopted by the commission, accounts of all operations, prepare all necessary reports, and perform such other duties as may be assigned to him by the commission.

Sec. 7. Records open. A copy of all reports and records required under this chapter shall be filed with the Secretary of State and same shall there be open to public inspection at all reasonable times.

Sec. 8. Pool established. The State Revenue-raising Pool shall be conducted on a state-wide basis by means of the sale of numbered tickets. Drawing of winning numbers shall be made promptly at the close of each pool period in accordance with rules and regulations to be made by the commission, said drawing to be open to the public and to be held in the House of Representatives hall in Augusta. The pool periods in any one calendar year shall be July 15th, August 15th, September 15th, and December 15th. The commission will have the authority to establish the amount of each prize, provided the net amount to be drawn shall not exceed 50% of the net proceeds from the sale of tickets to be returned in the form of prizes, no more than 10% of which shall be in any one prize.

Sec. 9. Treasurer of State. The commission shall deposit with the Treasurer of State such moneys as shall be received by it, which shall be kept in a separate fund. The Treasurer of State is authorized to issue his checks against said fund forthwith upon written order signed by any 2 commissioners.

Sec. 10. Reports. At the conclusion of every pool period the director shall prepare a report which shall show:

I Tickets sold and money received. The total number of tickets sold and the amount of money received from such sales;

II. Expenses. The expense of operation for the period; and

III. Prizes paid. The amount of prizes paid for the period.

This report shall be filed with the Governor and Council within 30 days from the close of such period and a copy given to the Treasurer of State.

Sec. 11. Distribution. The Treasurer of State, after deducting expenses incurred and after carrying out the provisions of section 15, shall credit the balance of the funds in his hands for aid to public and private hospitals. Public and private hospitals shall be reimbursed from this fund to the full extent of their losses for state aid cases in each calendar year. Any balances after such reimbursements to public and private hospitals shall lapse to the General Fund.

Sec. 12. Prohibition. No person who is not duly authorized by the commission to sell tickets shall sell, or cause or permit to be sold, any lottery tickets of any kind.

Sec. 13. Minors. No person shall sell, or cause or permit to be sold, to a minor any pool ticket and no person shall permit a minor to sell pool tickets, or knowingly permit any other person to handle, buy or sell pool tickets to whom any court, selectmen of a town, chief of police, overseer of the poor or the commission shall prohibit the sale thereto.

Sec. 14. Penalty. Whoever violates any of the provisions of this chapter or any of the rules and regulations promulgated pursuant thereto shall be punished by a fine of not more than \$5,000, or by imprisonment for not less than 2 years nor more than 5 years, or by both.

Sec. 15. Appropriation. There is appropriated from the General Fund the sum of \$25,000 for the purpose of starting the revenue pool established. Said sum or such part thereof as may be required to start said pool shall be considered a loan by the State and shall be returned to the State at the earliest possible moment by the pool commission from the proceeds of the pool.'

Sec. 2. Effective date. This act shall become effective on January 1, 1962.