

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 222

H. P. 212

House of Representatives, February 9, 1977

Reported by Mrs. Berube from Committee on Performance Audit pursuant to H. P. 2173 and 2,000 printed under Joint Rules No. 17.

EDWIN H. PERT, Clerk

Filed by the Joint Standing Committee on Performance Audit under Joint Rule 17, pursuant to House Paper 2173.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Improve the Performance of the State Lottery.

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

Sec. 1. 8 MRSA § 353, sub-§ 1, ¶ A, as enacted by PL 1973, c. 570, § 1, is amended to read:

A. The types of lotteries to be conducted, **except types of lotteries not conducted prior to January 1, 1977 shall not be authorized without the approval of the Legislature;**

Sec. 2. 8 MRSA § 353, sub-§ 1, ¶ K, as enacted by PL 1973, c. 570, § 1, is amended to read:

K. The manner and amount of compensation to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the general public, **except the amount of compensation shall not exceed a commission of 8% of sales unless approved by the Legislature;**

Sec. 3. 8 MRSA § 354, sub-§ 1, ¶ J is enacted to read:

J. Submit all promotional material and advertising to the Attorney General for review and approval of its accuracy and completeness, prior to its public release or use;

Sec. 4. 8 MRSA § 366, sub-§ 2, as enacted by PL 1975, c. 394, § 7, is amended by adding a new sentence to read:

Lottery tickets or shares that are awarded to certain ticket holders at no cost shall be included as prizes at their retail price, in meeting the requirement of 45% of the total ticket sales to be disbursed as prizes.

Sec. 5. 8 MRSA § 368 is enacted to read:

§ 368. Promotion and advertising

All promotional material and advertising of the lottery shall be submitted to the Attorney General prior to its public release or use. The Attorney General shall review this material and approve it for release or use if it is accurate and complete. No promotional material or advertising shall be publicly released or used by the lottery without this approval.

STATEMENT OF FACT

The purpose of this bill is to enact the recommendations of the Performance Audit Committee's study of the State Lottery, H. P. 2173. A detailed statement of the intentions, purposes and provisions of this bill is contained in the committee's narrative report. Generally, this bill does the following:

1. The Lottery Commission is not allowed to expand into other types of lotteries without legislative approval;
2. The Lottery Commission is not allowed to raise the agent's commission above 8% without legislative approval;
3. Lottery tickets awarded as prizes are to be valued at retail price and included in the calculation of the 45% of sales requirement to be prizes; and
4. All lottery advertising is to be reviewed by the Attorney General prior to its public release or use.