

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 404

6  
7 H.P. 315

House of Representatives, February 5, 1985

8 Reference to the Committee on State Government suggested and ordered  
9 printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Handy of Lewiston.

Cosponsored by Representative Dillenback of Cumberland,  
12 Representative Nadeau of Saco and Senator Diamond of Cumberland.

13 STATE OF MAINE

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT to Require Legislative Confirmation of  
18 the Commissioners and the Director of  
19 the Maine State Lottery.  
20

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

23 Sec. 1. 8 MRSA §351, first ¶, as amended by PL  
24 1983, c. 812, §58, is further amended to read:

25 The State Lottery Commission, established by Ti-  
26 tle 5, section 12004, subsection 8, shall consist of  
27 5 members, all of whom shall be citizens and resi-  
28 dents of this State and, all of whom shall be ap-  
29 pointed by the Governor and all of whom shall be sub-  
30 ject to review by the joint standing committee of the  
31 Legislature having jurisdiction over matters relating  
32 to legal affairs and to confirmation by the Senate.  
33 No more than 3 of the 5 members may be members of the  
34 same political party. The members shall be appointed  
35 for terms of 5 years, except that of the members  
36 first appointed, one shall be appointed for a term of

1 one year, one for a term of 2 years, one for a term  
2 of 3 years, one for a term of 4 years, and one for a  
3 term of 5 years. The term of each of the members  
4 first appointed shall be designated by the Governor.  
5 The members shall annually elect one of them as  
6 chairman of the commission.

7 Sec. 2. 8 MRSA §352, first ¶, as amended by PL  
8 1975, c. 771, §106, is further amended to read:

9 The State Lotteries shall be under the immediate  
10 supervision and direction of a director, who shall be  
11 a person qualified by training and experience to di-  
12 rect the State Lotteries. The director shall be ap-  
13 pointed by the Governor, subject to review by the  
14 joint standing committee of the Legislature having  
15 jurisdiction over matters relating to legal affairs  
16 and to confirmation by the Senate, and shall serve  
17 during the pleasure of the Governor. Any vacancy oc-  
18 ccurring in the office of the director shall be filled  
19 in the same manner as the original appointment.

20 STATEMENT OF FACT

21 The purpose of this bill is to require the Com-  
22 missioners and the Director of State Lotteries to be  
23 confirmed by the Legislature. The State Lottery Com-  
24 mission is responsible for operating a business which  
25 for fiscal year 1984 grossed roughly \$16,000,000 of  
26 which nearly \$8,000,000 was allocated for prize mon-  
27 eys and \$4,500,000 was deposited in the General Fund.

28 The State has developed an informal policy that  
29 requires Legislative confirmation of commissioners  
30 and directors of agencies which render decisions that  
31 have a significant impact upon the State and are in-  
32 volved with significant amounts of State revenues.  
33 Some of the agencies requiring legislative confirma-  
34 tion include:

- 35 1. The State Board of Education;
- 36 2. The State Personnel Board;
- 37 3. The Maine Health Care Finance Commission;

- 1           4. The Maine Labor Relations Board;
- 2           5. The Maine Land Use Regulation Commission;
- 3           6. The Board of Environmental Protection;
- 4           7. The State Liquor Commission;
- 5           8. The Finance Authority of Maine;
- 6           9. The Maine State Housing Authority; and
- 7           10. The Board of Trustees of the Maine State Re-
- 8           retirement System.

9           It is good policy to require confirmation of com-  
10          missions and directors of agencies which are involved  
11          in decisions that have a significant impact upon the  
12          State. By removing part of the burden that rests on  
13          a sole appointing authority, the opportunities are  
14          increased for selecting the best qualified and able  
15          people to positions of great responsibility.

16

1911010485