## MAINE STATE LEGISLATURE

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(Filing No. H-936)

# STATE OF MAINE HOUSE OF REPRESENTATIVES 115TH LEGISLATURE SECOND REGULAR SESSION

COMMITTEE AMENDMENT " To H.P. 1434, L.D. 2046, Bill, "An Act to Permit the State Lottery Commission to Approve Promotions Involving the Use of Lottery Tickets"

Amend the bill by inserting after section 2 the following:

'Sec. 3. 8 MRSA §380, as enacted by PL 1987, c. 505, §2, is repealed and the following enacted in its place:

### §380. Sales to persons under 18 years of age; gifts

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- 1. Sale to person under 18 years of age. A ticket or a share may not be sold to a person under 18 years of age. This does not prohibit a person 18 years of age or older from purchasing a ticket or a share for the purpose of making a gift to a person less than 18 years of age. A licensee who knowingly sells or offers to sell a lottery ticket or share to a person under 18 years of age commits a civil violation for which a forfeiture of not more than \$200 may be adjudged.
- 2. Transfer of ticket or share as part of sales promotion. A person authorized by the commission or the director to conduct a sales promotion may not transfer a lottery ticket or share to a person under 18 years of age as part of that sales promotion. This does not prohibit a person who receives a ticket or a share in an authorized sales promotion from transferring the ticket or the share to a person under 18 years of age as a gift. A person who knowingly transfers or offers to transfer a lottery ticket or share to a person under 18 years of age as part of a sales promotion commits a civil violation for which a forfeiture of not more than \$200 may be adjudged.

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## COMMITTEE AMENDMENT "/ to H.P. 1434, L.D. 2046

Sec. 4. Report by State Lottery Director. The State Lottery Director shall submit a report on promotions authorized under this Act to the joint standing committee of the Legislature having jurisdiction over legal affairs by September 1, 1994. report must include the number of promotions approved by the State Lottery Commission or the director, a summary of any complaints received by the commission or the director regarding the promotions or the means used to advertise the promotions and a summary of any concerns and recommendations the director or the commission wishes to bring to the attention of the committee regarding sales promotions using lottery tickets or shares.

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#### FISCAL NOTE

promotions using The additional lottery tickets increase General Fund revenue from lottery ticket sales by a minor amount. The State Lottery Commission can absorb the costs associated with the reporting requirements within commission's existing budgeted resources.

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system will be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may also increase General Fund revenue by a minor amount.'

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## STATEMENT OF FACT

This amendment clarifies that lottery tickets or shares may not be given to persons under 18 years of age as part of a sales promotion authorized by the bill. The amendment also requires the State Lottery Director to report to the Legislature after 2 years on the number of sales promotions authorized and any complaints received by the State Lottery Commission or the director regarding those promotions.

Reported by the Majority of the Committee on Legal Affairs Reproduced and distributed under the direction of the Clerk of the House 2/14/92

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