

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 296

H.P. 229

House of Representatives, January 31, 2017

An Act To Restrict Advertising of and Improve Fairness for State Lottery Games

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RYKERSON of Kittery.

Cosponsored by Representatives: ACKLEY of Monmouth, BLUME of York, HARLOW of Portland, HOGAN of Old Orchard Beach, O'CONNOR of Berwick, SPEAR of South Thomaston, Senators: CHIPMAN of Cumberland, MIRAMANT of Knox.

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

2 **Sec. 1. 8 MRSA §374, first ¶**, as amended by PL 2015, c. 96, §1, is further
3 amended to read:

4 The commission shall meet with the director, not less than once each month, to adopt
5 and amend rules, subject to the approval of the commissioner, relating to the lotteries; to
6 make recommendations and set policy for state lotteries; and to transact other business
7 that may be properly brought before the commission. A lottery under this section may
8 include, but is not limited to, a draw game in which the prize paid to a winning player is
9 calculated as a share of the prize pool. A lottery may not include a draw game that has
10 more than 5 daily drawings and that pays a player a set prize amount based on the wager
11 made by the player and in which the operator keeps all losing wagers, as with the draw
12 game commonly known as keno. Beginning in 2018, prize amounts paid to players
13 established by the commission for state lotteries must have an annual aggregate payback
14 of 90% of gross revenues or greater. State lotteries may not be marketed, advertised or
15 promoted except at locations where tickets or shares are sold. Rules adopted by the
16 commission must be adopted in a manner consistent with Title 5, chapter 375.

17 **Sec. 2. 8 MRSA §374, sub-§1, ¶C**, as enacted by PL 1987, c. 505, §2, is
18 amended to read:

19 C. The number and size of the prizes on the winning tickets or shares in accordance
20 with this section;

21 **Sec. 3. Commission to adopt rules.** No later than December 1, 2017, the State
22 Liquor and Lottery Commission shall adopt rules in accordance with the Maine Revised
23 Statutes, Title 8, section 374, which establishes, for state lotteries, an annual aggregate
24 payback to players in the form of prizes of 90% of gross revenues or greater. Rules
25 adopted in accordance with this section and in accordance with Title 8, section 374 must
26 also prohibit marketing, advertising and promotion of state lotteries except at locations
27 where tickets or shares are sold.

28 **SUMMARY**

29 This bill requires prizes for state lotteries to have an annual aggregate payback of
30 90% of gross revenues or greater. The bill also states that rules adopted by the State
31 Liquor and Lottery Commission must prohibit marketing, advertising and promotion of
32 state lotteries except at locations where lottery tickets are sold. Finally, the bill requires
33 the commission to adopt rules governing payback percentages and advertising no later
34 than December 1, 2017.