

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 electronic originals
(may include minor formatting differences from printed original)



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 25

H.P. 26

House of Representatives, January 2, 2019

**An Act To Implement the Recommendations of the Government
Oversight Committee Regarding Bureau of Alcoholic Beverages and
Lottery Operations Reporting Requirements**

Reported by Representative MASTRACCIO of Sanford for the Government Oversight Committee pursuant to the Maine Revised Statutes, Title 3, section 997, subsection 2.

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed pursuant to Joint Rule 218.

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

ROBERT B. HUNT
Clerk

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

2 **Sec. 1. 8 MRSA §372, sub-§2, ¶H**, as amended by PL 1991, c. 780, Pt. Y, §109,
3 is further amended to read:

4 H. Certify monthly to the ~~Treasurer of State~~, the commission and the commissioner a
5 full and complete statement of lottery revenues, prize disbursements and other
6 expenses for the preceding month; ~~submit an annual report, subject to the approval of~~
7 ~~the commission, that must include a full and complete statement of lottery revenues,~~
8 ~~prize disbursements and expenses, to the Governor and the Legislature, together with~~
9 ~~recommendations for changes in this chapter;~~

10 **Sec. 2. 8 MRSA §372, sub-§2, ¶I**, as amended by PL 2003, c. 673, Pt. MM, §1,
11 is further amended to read:

12 I. Carry on a continuous study and investigation of the lotteries throughout the State
13 and the operation and administration of similar laws that may be in effect in other
14 jurisdictions. The director, subject to the prior approval of the commission, may
15 enter into a written agreement with a multijurisdictional lottery association for the
16 operation, marketing and promotion of a joint lottery or joint lottery games with other
17 jurisdictions.

18 Any final agreement entered into with a multijurisdictional lottery association must
19 provide that the director has the authority to terminate the agreement upon the
20 provision of reasonable notice, not to exceed 6 months. The final agreement must
21 further provide that the director may terminate the agreement at any time, without
22 prior notice, in the event that the director's authority is withdrawn or limited by law;
23 ~~and~~

24 **Sec. 3. 8 MRSA §372, sub-§2, ¶J**, as enacted by PL 1991, c. 780, Pt. Y, §112, is
25 amended to read:

26 J. Assign duties as necessary to a designee; ~~and~~

27 **Sec. 4. 8 MRSA §372, sub-§2, ¶K** is enacted to read:

28 K. Beginning February 15, 2020, submit a report annually, subject to the approval of
29 the commission, to the Governor and the joint standing committees of the Legislature
30 having jurisdiction over lottery matters and appropriations and financial affairs. The
31 joint standing committee of the Legislature having jurisdiction over lottery matters
32 may submit to the Legislature legislation based on the report. The report must
33 include:

34 (1) A list of the decisions made by the commission and resulting actions for the
35 preceding calendar year relevant to lottery operations;

36 (2) A complete statement of lottery revenues, prize disbursements and expenses
37 and appropriations from the General Fund, if any, for the preceding calendar
38 year;

1 (3) A 5-year history of the account used to manage lottery operations, which
2 must include the amount of revenues deposited into the State Lottery Fund and
3 the amounts transferred to the General Fund;

4 (4) A detailed statement of the expenditures made to promote lottery sales
5 through marketing, advertising and recruitment of agents for the preceding
6 calendar year;

7 (5) A description of the lottery marketing and advertising activities for the
8 preceding calendar year. The description must identify each radio station and
9 television station, if any, that broadcast or distributed the advertising;

10 (6) For each radio station and television station identified pursuant to
11 subparagraph (5), the format of advertising activity and amount of the
12 expenditures for the preceding calendar year associated with each station; and

13 (7) Any recommendations for changes to this chapter.

14 **Sec. 5. 28-A MRSA §83-B, sub-§11**, as enacted by PL 2013, c. 476, Pt. A, §9, is
15 amended to read:

16 **11. Certification.** Certify monthly to the ~~Treasurer of State and the~~ commissioner a
17 complete statement of expenses and revenues collected in accordance with the licensing
18 and enforcement functions of the bureau. ~~The bureau shall submit an annual report that~~
19 ~~includes a complete statement of expenses and revenues collected in accordance with the~~
20 licensing and enforcement functions of the bureau to the Governor and the joint standing
21 committee of the Legislature having jurisdiction over alcoholic beverage matters,
22 ~~together with recommendations for changes to this Title.~~

23 **Sec. 6. 28-A MRSA §83-C, sub-§7**, as enacted by PL 2013, c. 476, Pt. A, §9, is
24 amended to read:

25 **7. Certification.** Certify monthly to the ~~Treasurer of State and the~~ commissioner a
26 complete statement of revenues from and expenses for the sale of spirits by the bureau
27 ~~and submit an annual report that includes a complete statement of the revenues and~~
28 ~~expenses of the bureau to the Governor and the joint standing committee of the~~
29 Legislature having jurisdiction over alcoholic beverage matters, together with
30 ~~recommendations for changes to this Title;~~

31 **Sec. 7. 28-A MRSA §84, sub-§5**, as amended by PL 2015, c. 430, §2, is further
32 amended to read:

33 **5. Certification.** Certify monthly to the ~~Treasurer of State and the~~ Commissioner of
34 Administrative and Financial Services a complete statement of revenues and expenses for
35 liquor sales for the preceding month ~~and submit an annual report that includes a complete~~
36 ~~statement of the revenues and expenses for the bureau to the Governor and the~~
37 Legislature, together with recommendations for changes in this Title; and

38 **Sec. 8. 28-A MRSA §84, sub-§6**, as enacted by PL 2015, c. 430, §3, is amended
39 to read:

1 The bill also amends several provisions related to monthly certification and annual
2 reporting requirements related to administration of the State's spirits business and the
3 bureau's oversight of the manufacture, distribution and sale of liquor in the State to make
4 them consistent with the bill's proposed requirements for lottery operations reporting.
5 Finally, the bill authorizes the joint standing committee of the Legislature having
6 jurisdiction over lottery and alcoholic beverage matters to submit legislation based on the
7 reports required to be submitted by the director.