



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 938

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H.P. 662

House of Representatives, March 7, 2013

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**An Act To Update the Laws Relating to the Tri-state Lotto and the  
Payment of Prizes to Minors**

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Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative LUCHINI of Ellsworth.  
Cosponsored by Representative MASON of Topsham.

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

2 **Sec. 1. 8 MRSA §385**, as corrected by RR 1993, c. 1, §18, is amended to read:

3 **§385. Persons under 18 years; payment of prizes**

4 ~~If the person entitled to a prize or any winning ticket is under the age of 18 years and~~  
5 ~~the prize is less than \$5,000, the director may direct payment of the prize by delivery of a~~  
6 ~~check or draft payable to the order of the minor to an adult member of the minor's family~~  
7 ~~or a guardian of the minor.~~ If the person entitled to a prize or any winning ticket is under  
8 ~~the age of 18 years and the prize is \$5,000 or more of age~~, the director or the director's  
9 designee may direct payment to the minor by depositing the amount of the prize in any  
10 ~~bank~~ financial institution to the credit of an adult member of the minor's family or  
11 guardian as custodian for the minor. The person named as custodian has the same duties  
12 and powers as a person designated as a custodian in a manner prescribed by the "Maine  
13 Uniform Transfers to Minors Act." For purposes of this section, the terms "adult member  
14 of a minor's family," ~~"guardian of a minor"~~ "custodian" and ~~"bank"~~ "financial institution"  
15 have the same meanings as set out in that Act. The director or the director's designee is  
16 relieved of all further liability upon payment of a prize to a minor pursuant to this section.

17 **Sec. 2. 8 MRSA §403**, as enacted by PL 1983, c. 732, §1, is amended to read:

18 **§403. Statement of purpose**

19 This compact is enacted to implement the operation of Tri-state Lotto for the purpose  
20 of raising additional revenue for each of the party states. Tri-state Lotto is not intended to  
21 replace any existing lottery games in the party states but, rather, to be run in addition to  
22 those games. Tri-state Lotto tickets will be sold in each of the party states and processed  
23 in a central area to be determined by the commission. ~~Fifty percent~~ Not less than 50% of  
24 the gross sales from each state will be aggregated in a common prize pool, and operating  
25 costs will be charged proportionally, according to sales, to the party states. The remaining  
26 revenues generated within each state ~~will~~ remain in that particular state.

27 **Sec. 3. 8 MRSA §409, sub-§1, ¶B**, as enacted by PL 1983, c. 732, §1, is  
28 amended to read:

29 B. The price of the tickets in the lotteries;

30 **Sec. 4. 8 MRSA §409, sub-§1, ¶E**, as enacted by PL 1983, c. 732, §1, is  
31 amended to read:

32 E. The frequency of the drawings or selections of winning tickets;

33 **Sec. 5. 8 MRSA §415, sub-§2**, as amended by PL 1999, c. 64, §1, is further  
34 amended to read:

35 **2. Tri-state Lotto Prize Account.** Within one week after a Tri-state Lotto drawing  
36 ~~has been held~~ or selection of winning tickets, the party state lottery or commission shall  
37 pay to the commission, who in turn shall promptly pay to an account known as the  
38 Tri-state Lotto Prize Account, such money as is necessary for the payment of prizes, less

1 actual prizes paid by the respective party state in the preceding week, but not to exceed  
2 ~~60%~~ less than 50% of the total amount for which tickets have been sold.

3 **Sec. 6. 8 MRSA §416-A, sub-§10**, as enacted by PL 1995, c. 652, §2 and  
4 affected by §4, is amended to read:

5 **10. Other state debts.** This compact recognizes that each party state has enacted  
6 laws authorizing a party state agency to ~~collect~~ offset against lottery winnings debts owed  
7 for child support debts and arrearages, unemployment overpayment and tax liability.  
8 Upon receipt of notice from a party state agency, the commission shall suspend payment  
9 of winnings in the amount of the ~~child support debt or arrearage~~ and notify the winner.  
10 ~~Child support~~ Any debts and arrearages of a winner under this subsection must be offset  
11 by the commission in the manner in which the state lottery or commission of a party state  
12 is required by law to offset those debts ~~and arrearages~~.

13 **Sec. 7. 8 MRSA §417**, as enacted by PL 1983, c. 732, §1, is amended to read:

14 **§417. Unclaimed prize money**

15 Unclaimed prize money for the prize on a winning ticket ~~shall~~ must be retained by the  
16 commission for payment to the person entitled ~~thereto~~ to the prize money for one year  
17 after the drawing or selection of a winning ticket in which the prize was won. If ~~no~~ a  
18 claim is not made for the prize within one year from the date of the drawing or selection  
19 of a winning ticket, the prize money ~~shall~~ must be credited to the prize pool. Upon the  
20 expiration of a one-year time period from the drawing date or selection of a winning  
21 ticket, the ticket holder ~~shall forfeit~~ forfeits any claim or entitlement to the prize ~~moneys~~  
22 money.

23 **SUMMARY**

24 This bill clarifies the payment of lottery prizes to minors. It fixes a discrepancy  
25 between the Maine Revised Statutes, Title 8, sections 403 and 415 and sets the minimum  
26 payout by the Tri-state Lotto Commission for prizes to not less than 50% of gross sales.  
27 It allows for the Tri-state Lotto Commission to implement both draw and instant ticket  
28 games as part of the Tri-state Lotto game portfolio. It adds language to require the  
29 Tri-state Lotto Commission to offset against winnings, in addition to debts for child  
30 support, debts related to unemployment overpayment and tax liabilities.