

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 18

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Read 1st time February 22, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1598S.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2012, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article III of the Constitution of the state of Missouri:

Section A. Section 39(b), article III, Constitution of Missouri, is repealed
2 and one new section adopted in lieu thereof, to be known as section 39(b), to read
3 as follows:

Section 39(b). 1. The general assembly shall have authority to authorize
2 a Missouri state lottery by law. If such legislation is adopted, there shall be
3 created a "State Lottery Commission" consisting of five members who shall be
4 appointed by the governor with the advice and consent of the senate and who may
5 be removed, for cause by the governor and who shall be chosen from the state at
6 large and represent a broad geographic spectrum with no more than one member
7 chosen from each federal congressional district. Each member at the time of his
8 **or her** appointment and qualification shall have been a resident of this state for
9 a period of at least five years next preceding his **or her** appointment and
10 qualification and shall also be a qualified elector therein and be not less than
11 thirty years of age. No more than three members of the commission shall be
12 members of the same political party. Members of the commission shall have
13 three-year terms as provided by law. Members of the commission shall receive
14 no salary but shall receive their actual expenses incurred in the performance of
15 their responsibilities. The commission shall employ such persons as provided by

16 law. The commission shall have the authority to join other states and
17 jurisdictions for the purpose of conducting joint lottery games.

18 2. The money received by the Missouri State lottery commission from the
19 sale of Missouri lottery tickets, and from all other sources, shall be deposited in
20 the "State Lottery Fund", which is hereby created in the state treasury. **No later**
21 **than July 1, 2013, the state lottery commission shall develop and begin**
22 **selling a "Veterans Lottery Ticket", and all money received from the**
23 **sales of such tickets shall be deposited in the veterans' commission**
24 **capital improvements trust fund, as provided by law.**

25 3. The monies received from the Missouri state lottery shall be governed
26 by appropriation of the general assembly. Beginning July 1, 1993, monies
27 representing net proceeds after payment of prizes and administrative expenses
28 shall be transferred by appropriation to the "Lottery Proceeds Fund" which is
29 hereby created within the state treasury and such monies in the lottery proceeds
30 fund shall be appropriated solely for public institutions of elementary, secondary
31 and higher education.

32 4. A minimum of forty-five percent of the money received from the sale of
33 Missouri state lottery tickets shall be awarded as prizes.

34 5. The commission shall have the authority to purchase and hold title to
35 any securities of the United States government or its agencies and
36 instrumentalities thereof for prizes, as provided by law.

37 6. Until July 1, 1993, any person possessing a department of revenue
38 retail sales license as provided by law or any chartered civic, fraternal, charitable
39 or political organization or labor organization shall be eligible to obtain a license
40 to act as a lottery ticket sales agent except a license to act as an agent to sell
41 lottery tickets shall not be issued to any person primarily engaged in business as
42 a lottery ticket sales agent. Until July 1, 1993, the general assembly may impose
43 additional qualifications on such persons to obtain a lottery ticket sales agent
44 license as it deems appropriate. Until July 1, 1993, the commission is also
45 authorized to sell lottery tickets at its office and at special events as provided by
46 law. Beginning July 1, 1993, the general assembly shall enact laws governing
47 lottery ticket sales.

48 7. Revenues produced from the conduct of a state lottery shall not be part
49 of "total state revenues" as defined in sections 17 and 18 of article X of this
50 constitution and the expenditure of such revenue shall not be an "expense of state
51 government" under section 20 of article X of this constitution.

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