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By Mr. Reilly of Boston, petition of Francis E. Kelly for the establishment of a state lottery commission and relative to authorizing said commission to hold and conduct lotteries. Ways and Means (Joint).

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Forty-Five.

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AN ACT ESTABLISHING THE STATE LOTTERY COMMISSION  
AND AUTHORIZING SAID COMMISSION TO HOLD AND  
CONDUCT LOTTERIES.

*Be it enacted by the Senate and House of Representatives  
in General Court assembled, and by the authority of the  
same, as follows:*

1 SECTION 1. Section seventeen of chapter six of  
2 the General Laws, as most recently amended by sec-  
3 tion one of chapter three hundred and ninety-three  
4 of the acts of nineteen hundred and thirty-nine, is  
5 hereby further amended by inserting after the word  
6 "commission" in lines nine and ten the following:  
7 —, the state lottery commission, — so as to read  
8 as follows: — *Section 17.* The armory commission,  
9 the art commission, the commission on administra-  
10 tion and finance, the commissioner of state aid and  
11 pensions, the commissioners on uniform state laws,  
12 the public bequest commission, the state ballot law  
13 commission, the board of trustees of the Soldiers'  
14 Home in Massachusetts, the milk regulation board,

15 the alcoholic beverages control commission, the state  
16 planning board, the trustees of the state library,  
17 the state racing commission, the Greylock reserva-  
18 tion commission, the state lottery commission and  
19 the Massachusetts aeronautics commission shall serve  
20 under the governor and council, and shall be subject  
21 to such supervision as the governor and council deem  
22 necessary or proper.

1 SECTION 2. Said chapter six is hereby further  
2 amended by inserting after section fifty-two, inserted  
3 therein by section two of chapter four hundred and  
4 seventy-five of the acts of nineteen hundred and  
5 thirty-five, under the heading "STATE LOTTERY COM-  
6 MISSION", the following new sections:—

7 *Section 53.* There shall be a commission to be  
8 known as the state lottery commission, to consist of  
9 three persons to be appointed by the governor, with  
10 the advice and consent of the council. Not more  
11 than two of such members shall be members of the  
12 same political party. Said members shall be desig-  
13 nated in their original appointments to serve for one,  
14 two and three years, respectively, from July first  
15 in the year of appointment. Upon the expiration  
16 of the term of a member, his successor shall be ap-  
17 pointed in the manner aforesaid for three years.

18 Each member shall hold office until the appoint-  
19 ment and qualification of his successor. The governor  
20 shall, from time to time, designate one of the mem-  
21 bers as chairman and, with the advice and consent  
22 of the council, may remove any member for cause  
23 and, with like advice and consent, shall fill any  
24 vacancy for the unexpired term. The chairman of  
25 the commission shall receive a salary of seventy-

26 five hundred dollars and each other member shall  
27 receive a salary of five thousand dollars. Whenever  
28 any action by the commission is required to be in  
29 writing, such writing shall be sufficient when signed  
30 by any two of the members. The commission may  
31 expend for clerical and other services and expenses  
32 such sums as may be appropriated therefor.

33 *Section 54.* The state lottery commission shall  
34 adopt a plan to hold and conduct a lottery to raise  
35 moneys which shall be paid into the treasury of the  
36 commonwealth and shall be credited on the books  
37 of the commonwealth to a fund to be known as the  
38 State Lottery Fund.

39 *Section 55.* The state lottery commission shall  
40 have power, subject to the approval of the governor  
41 and council, to adopt rules, regulations and condi-  
42 tions under which said lotteries shall be held and  
43 conducted. Any person violating any such rule or  
44 regulation shall upon a complaint brought by said  
45 commission be punished by a fine not exceeding  
46                   dollars, or by imprisonment for not more  
47 than                   years, or both.

48 *Section 56.* Except as otherwise provided in sec-  
49 tions fifty-four and fifty-five, no person shall hold  
50 or conduct any lottery within the commonwealth.

51 Any person holding or conducting, or any person  
52 aiding or abetting in holding or conducting, any  
53 lottery within the commonwealth in violation of  
54 any of the provisions of sections fifty-four to fifty-  
55 seven, inclusive, shall, unless some other penalty for  
56 such violation is provided by law, be punished by a  
57 fine of not more than ten thousand dollars or by  
58 imprisonment for not more than one year, or both.

59. *Section 57.* The net proceeds of the lotteries shall



60 be paid from the treasury of the commonwealth for  
61 financing the payment of a soldiers' bonus, so called,  
62 and for granting assistance to needy citizens at age  
63 of sixty years.

1 SECTION 3. In the month of September in the  
2 current year the governor, with the advice and con-  
3 sent of the council, shall appoint three persons, quali-  
4 fied as hereinbefore provided, as members of the  
5 state lottery commission hereinbefore established, of  
6 whom one shall serve for one year, one for two years  
7 and one for three years, as the governor may desig-  
8 nate, from the first day of October next following.  
9 Upon the expiration of the term of a member, his  
10 successor shall be appointed as hereinbefore provided.

1 SECTION 4. This act shall take effect on September  
2 first of the current year.