

**SENATE . . . . . No. 354**

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By Mr. Norton, petition (accompanied by bill, Senate, No. 354) of Thomas C. Norton for legislation relative to establishing an amateur athletic council video lottery. Government Regulations.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-Two.

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AN ACT RELATIVE TO CREATE AN AMATEUR ATHLETIC COUNCIL VIDEO LOTTERY.

*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 24 of Chapter 10 as inserted in the  
2 General Laws by Section 2 of Chapter 813 of the Acts of 1971  
3 and most recently amended by Chapter 635 of the Acts of 1983  
4 is hereby further amended by adding at the end thereof the  
5 following: — The commission is hereby authorized and directed  
6 to conduct a lottery for the benefit of Amateur Athletics and shall  
7 determine the types of lottery or lotteries conducted by means of  
8 machines or mechanical devices, the price, or prices for  
9 participation in lottery, the numbers and sizes of the prizes  
10 awarded to winners, the manner of selecting winners, the manner  
11 of payment of prizes to winners, the frequency of drawings or  
12 selections of winners, the type or types of locations at which tickets  
13 or shares may be sold, and the type or types of locations at which  
14 machines or mechanical devices are to be located, and all other  
15 matters authorized by law. This paragraph shall be an express  
16 authorization for the location and transportation of machines or  
17 mechanical devices, as defined by paragraphs (a)2 and (a)3 of  
18 section 1171 of title 15 of the United States Code, owned or leased  
19 by the commission into the commonwealth in accordance with  
20 the provisions of section 1172 of title 15 of the United States Code.

21 The commission shall report monthly to the governor, the  
22 attorney general, the general court, and the Amateur Athletic  
23 Council, the total revenues of the lottery or lotteries conducted  
24 for amateur athletics, prize disbursements, and other expenses for  
25 the preceding month, and shall make an annual report to the same  
26 which shall include a full and complete statement of such amateur  
27 athletics lottery revenues, prize disbursements, and other  
28 expenses, including such recommendations as it may deem  
29 necessary or advisable.

1 SECTION 2. Chapter 10 of the General Laws is hereby  
2 amended by adding after section 35F a new section: —

3 Section 35FF. There shall be established and set up in the  
4 General Laws as a separate fund, to be known as the Amateur  
5 Athletic Council Lottery Fund. Said fund shall consist of all  
6 revenues received from the sale of Massachusetts State Lottery  
7 Commission video machine lottery tickets, shares, or games and  
8 all other monies credited or transferred thereto from any other  
9 fund of source pursuant to law. As of July first and January first  
10 the Amateur Athletic lottery revenues for the preceding six  
11 months after deductions are made for: (1) the amount paid or  
12 incurred for prizes to holders of the winning lottery tickets, shares  
13 or games during such six month period, (2) the expenses of the  
14 state lottery commission in administering and operating the  
15 lottery for the Amateur Athletic Council for such six month  
16 period, subject to appropriation, as certified by the Commissioner  
17 of Administration, and which amount the treasurer shall, as of  
18 July first and January first, transfer to the General Fund. Such  
19 net balance of any Amateur Athletic lottery revenues for such  
20 preceding six month period not already deducted in clauses (1),  
21 (2) and (3), if any shall be allocated and expended as follows:  
22 (a) grants awarded to local and regional school departments  
23 pursuant to the Council's guidelines as described in the above  
24 Sections and (b) grants awarded to local and regional Amateur  
25 Athletic Associations with their own facilities pursuant to the  
26 Council's guidelines as described in the above sections.

1 SECTION 3. Chapter 10 of the General Laws is hereby  
2 amended by adding after section 35C a new section: —

3 Section 35CC. There shall be, in the Office of the State  
4 Treasurer, but not subject to its control, an Amateur Athletic  
5 Council, consisting of five members who shall be appointed in the  
6 following manner: one by the State Treasurer, one by the Senate  
7 President, one by the Speaker of the House, and two by the  
8 Governor for terms of two years.

9 Members shall demonstrate and in depth knowledge in the  
10 planning and operation of amateur athletic facilities, and shall be  
11 broadly representative of all areas of sporting encompassed by  
12 amateur athletics.

1 SECTION 4. The Amateur Athletic Council shall investigate  
2 and recommend the planning, construction and rehabilitation of  
3 amateur athletics throughout the Commonwealth. The council  
4 shall assess the cost of each project and provide guidance, advice  
5 and assistance to the county amateur athletic officials, as provided  
6 for in Section 7, and to the respective programs within each  
7 community.

1 SECTION 5. Elected public officials shall not be eligible for  
2 membership on the council. The Senate President and Speaker  
3 of the House shall designate the chairman of the council. Upon  
4 expiration of the term of office as a member, his successor shall  
5 be appointed in like manner until the qualification of his  
6 successor. Any vacancy, occurring for any reason other than the  
7 expiration of the term, shall be filled for the unexpired term in  
8 the same manner as the original appointment.

1 SECTION 6. The Amateur Athletic Council may hold public  
2 and private hearings, may enter into contracts with individuals,  
3 organizations and institutions for services furthering the  
4 objectives of the council's programs; may enter into contracts with  
5 local or regional associates for cooperative endeavors furthering  
6 the council's program; may accept gifts, grants, contributions and  
7 bequests of funds from individuals, foundations, and from federal,  
8 state or other governmental bodies for the purpose of furthering  
9 the council's program; may make and sign any agreement for the  
10 purpose of furthering the council's program. The council may  
11 request from any department, division, board, bureau,



12 commission or agency of the commonwealth, such assistance and  
13 data as will enable it to properly carry out its powers and duties.

1 SECTION 7. The members of the Amateur Athletic Council  
2 shall serve without compensation but shall be reimbursed for their  
3 expenses actually and necessarily incurred in the discharge of their  
4 official duties.

1 SECTION 8. The Amateur Athletic Council shall establish  
2 and from time to time issue or revise as necessary, the guidelines,  
3 rules, rulings or regulations for the purpose of furthering the  
4 council's program.

1 SECTION 9. Each county shall be represented by a county  
2 director appointed by the council, who shall not be a  
3 commissioner and who shall have experience in the field of  
4 amateur athletics. County directors shall be directly responsible  
5 to the Athletic Council for reporting, inspecting and collection  
6 proposals from athletic programs which are in need of either the  
7 creation, construction or rehabilitation of an amateur athletic  
8 facility. The county director shall evaluate and classify projects  
9 within each county and present recommendations directly to the  
10 council.

1 SECTION 10. Said council shall be provided with quarters,  
2 may travel within the Commonwealth, and may expend for  
3 clerical and other services and expenses such sums as may be  
4 appropriated pursuant to Section 9. Said council shall report to  
5 the General Court the results of its progress, and its recommen-  
6 dation, if any, together with drafts of such legislation necessary  
7 to carry such programs into effect by filing the same with the Clerk  
8 of the Senate on or before the first Wednesday of December,  
9 nineteen hundred and ninety-two.