

By Mr. Travis of Rehoboth, petition of Philip Travis for legislation to establish a library lottery for the purpose of providing financial assistance to the public libraries of the Commonwealth. Government Regulations.

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**The Commonwealth of Massachusetts**

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

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AN ACT ESTABLISHING A MASSACHUSETTS LIBRARY LOTTERY TO PROVIDE FINANCIAL ASSISTANCE TO THE PUBLIC LIBRARIES OF THE COMMONWEALTH.

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

1 Chapter 10 of the General Laws is hereby amended by inserting  
2 after section 58, as appearing in the 1990 Official Edition, the  
3 following three sections: —

4 Section 59. There shall be, in the office of the state treasurer,  
5 but not subject to its control, a Massachusetts library lottery  
6 council, consisting of five members who shall be appointed by the  
7 governor, upon recommendation of the Massachusetts Library  
8 Association, for terms of five years. Members shall have  
9 demonstrated scholarship, and knowledge in library service, or  
10 distinguished service in providing library services to the people.  
11 The Massachusetts library lottery council shall cooperate and  
12 coordinate the financing of library services throughout the  
13 commonwealth with the board of library commissioners  
14 established by section fourteen of chapter seventy-eight, and shall  
15 assist said board in administering the distribution of the  
16 Massachusetts library lottery fund established under the  
17 provisions of section sixty to the several cities and towns as  
18 hereinafter provided and such other assistance or guidance as it  
19 may be called upon to perform.

20 The governor shall designate the chairman of the council and  
21 upon expiration of the term of office as a member, his successor

22 shall be appointed in like manner, and shall serve until the  
23 qualification of his successor. Any vacancy, occurring for any  
24 reason other than the expiration of the term, shall be filled for  
25 the unexpired term in the same manner as the original  
26 appointment.

27 The members of the Massachusetts library lottery council shall  
28 serve without compensation but shall be reimbursed for their  
29 expenses actually and necessarily incurred in the performance of  
30 their official duties. Notwithstanding the provisions of section  
31 twenty-seven of this chapter, the council, its agents and employees,  
32 may encourage the sale of lottery tickets for libraries.

33 The library lottery council may hold public and private  
34 hearings, may enter into contracts with individuals, organizations  
35 and institutions for services furthering the objectives and purposes  
36 of the council's programs; may enter into contracts with local or  
37 regional associations for cooperative endeavors furthering the  
38 council's programs; may enter into contracts with local or regional  
39 associations for cooperative endeavors furthering the council's  
40 programs; may accept gifts, grants, contributions and bequests of  
41 funds from individuals, foundations and from federal, state or  
42 other governmental bodies for the purpose of furthering the  
43 council's program; may make and sign any agreements and may  
44 do and perform any and all acts which may be necessary or  
45 desirable to carry out the purposes of sections fifty-nine, sixty and  
46 sixty-one. The council may request from any department,  
47 division, board, bureau, commission or agency of the common-  
48 wealth such data and assistance as will enable it to properly carry  
49 out its powers and duties.

50 The Massachusetts library lottery council shall establish, and  
51 from time to time issue or revise as necessary, guidelines, rules,  
52 rulings or regulations for the use of the library lottery funds and  
53 for its own and local and regional library operations and  
54 procedures.

55 Section 60. The state lottery commission established pursuant  
56 to section twenty-three of chapter ten of the General Laws is  
57 hereby authorized and directed to conduct a lottery, in  
58 cooperation with the library lottery council, for the benefit of the  
59 public libraries of the commonwealth. The said commission shall  
60 determine the types of lottery or lotteries to be conducted, the

61 price, or prices, of tickets or shares in the lottery, the numbers  
62 and sizes of the prizes on the winning tickets or shares, the manner  
63 of selecting the winning tickets or shares, the manner of payment  
64 of prizes to the holders of winning tickets or shares, the frequency  
65 of drawings or selections of winning tickets or shares and the type  
66 or types of locations at which tickets or shares may be sold, and  
67 all other matters authorized by law. The commission shall report  
68 monthly to the governor, the general court, and the Massachusetts  
69 library lottery council, the total revenues of the lottery or lotteries  
70 conducted for the libraries, prize disbursements, and other  
71 expenses for the preceding month, and shall make an annual  
72 report to the same which shall include a full, detailed and complete  
73 statement of such library lottery revenues, prize disbursements,  
74 and other expenses, including such recommendations as it may  
75 deem necessary or advisable.

76 Revenues from the library lottery or lotteries shall be  
77 distributed in accordance with the provisions of sections  
78 nineteen A to nineteen K, inclusive, of said chapter seventy-eight.

79 Section 61. There shall be established and set up on the books  
80 of the commonwealth a separate fund, to be known as the  
81 Massachusetts Library Lottery Fund. Said fund shall consist of  
82 all revenues received from the sale of lottery tickets or shares  
83 pursuant to section sixty and all other moneys credited or  
84 transferred thereto from any other fund or source pursuant to law.

85 As of July first and January first of each year, the comptroller  
86 shall determine the net balance in the Massachusetts Library  
87 Lottery Fund derived from revenues for the preceding six months  
88 after deductions are made for (1) the amounts paid or incurred  
89 for prizes to holders of the winning lottery tickets or shares during  
90 such six month period, (2) the expenses of the state lottery  
91 commission in administering and operating the lottery for the  
92 libraries for such six month period, subject to appropriation, as  
93 certified by the commissioner of administration, which amount  
94 the treasurer shall, as of such July first or January first, transfer  
95 to the General Fund, (3) the expenses of administration of the  
96 council for such six month period, including expenses of the  
97 members, subject to appropriation, as certified by the  
98 commissioner of administration, and which amount the treasurer  
99 shall, as of such July first or January first transfer to the General

100 Fund. The council may determine, in accordance with such  
101 guidelines, rules, rulings or regulations as it may issue, the time  
102 and the amount of distribution of such funds as the council may  
103 deem necessary or desirable to carry out the purposes of sections  
104 fifty-nine and sixty; provided, however, that the council shall  
105 allocate a minimum amount to every library in the several cities  
106 and towns, after a hearing to determine such amount. The council  
107 shall require that all participating institutions make a continuing  
108 commitment to improve free library service and the quality of  
109 library services offered to the public as a result of said assistance  
110 and shall make a report of such improvements to the council on  
111 such forms as the council shall determine.