

HOUSE BILL NO. 59

INTRODUCED BY L. NELSON, PAVLOVICH, SWIFT
BY REQUEST OF THE DEPARTMENT OF COMMERCE

IN THE HOUSE

DECEMBER 23, 1992	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
JANUARY 4, 1993	FIRST READING.
JANUARY 7, 1993	ON MOTION, ADDITIONAL SPONSORS ADDED.
JANUARY 9, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 11, 1993	PRINTING REPORT.
JANUARY 13, 1993	SECOND READING, DO PASS.
JANUARY 14, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 91; NOES, 8.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 16, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
	FIRST READING.
JANUARY 27, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
JANUARY 29, 1993	SECOND READING, CONCURRED IN.
JANUARY 30, 1993	THIRD READING, CONCURRED IN. AYES, 42; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 1, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 59

2 INTRODUCED BY L. NELSON

3 BY REQUEST OF THE DEPARTMENT OF COMMERCE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT GIVING THE STATE
6 LOTTERY COMMISSION DISCRETION TO SET TIME PERIOD AND
7 INSTALLMENT AMOUNTS FOR PAYMENT OF LOTTERY PRIZES IN EXCESS
8 OF \$100,000; AND AMENDING SECTION 23-7-311, MCA."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 23-7-311, MCA, is amended to read:

12 "23-7-311. Drawings for and payment of prizes --
13 unclaimed prizes. (1) All drawings must be held in public.
14 The selection of winning tickets may not be performed by an
15 employee of the lottery or by a member of the commission.
16 All drawings must be witnessed by a professional staff
17 employee of the legislative auditor's office, and all
18 lottery drawing equipment used in public drawings to select
19 winning prizes or participants for prizes must be examined
20 by the director's staff and a professional staff employee of
21 the legislative auditor's office prior to and after each
22 public drawing.

23 (2) The commission may provide for the immediate
24 payment of prizes by the ticket or chance sales agent who
25 sold the winning ticket or chance whenever the amount of the

1 prize is less than an amount set by commission rule. Payment
2 may not be made directly by a machine or device or by a
3 computer terminal.

4 (3) Prizes over \$100,000 may in the discretion of the
5 commission be paid either in one lump sum or in equal yearly
6 installments without interest over a period ~~of not more than~~
7 ~~20 years, except that each installment payment must be at~~
8 ~~least \$20,000 and in an amount to be determined by the~~
9 commission.

10 (4) Prizes not claimed within 6 months are forfeited
11 and must be paid into the state lottery fund. No interest is
12 due on a prize when a claim is delayed but made within 6
13 months.

14 (5) The right to a prize is not assignable, but prizes
15 may be paid to a deceased winner's estate or to a person
16 designated by judicial order."

-End-

APPROVED BY COMM. ON BUSINESS
AND ECONOMIC DEVELOPMENT

HOUSE BILL NO. 59

INTRODUCED BY L. NELSON, PAVLOVICH, SWIFT

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT GIVING THE STATE
LOTTERY COMMISSION DISCRETION TO SET TIME PERIOD AND
INSTALLMENT AMOUNTS FOR PAYMENT OF LOTTERY PRIZES IN EXCESS
OF \$100,000; AND AMENDING SECTION 23-7-311, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-7-311, MCA, is amended to read:

"23-7-311. Drawings for and payment of prizes --
unclaimed prizes. (1) All drawings must be held in public.
The selection of winning tickets may not be performed by an
employee of the lottery or by a member of the commission.
All drawings must be witnessed by a professional staff
employee of the legislative auditor's office, and all
lottery drawing equipment used in public drawings to select
winning prizes or participants for prizes must be examined
by the director's staff and a professional staff employee of
the legislative auditor's office prior to and after each
public drawing.

(2) The commission may provide for the immediate
payment of prizes by the ticket or chance sales agent who
sold the winning ticket or chance whenever the amount of the

prize is less than an amount set by commission rule. Payment
may not be made directly by a machine or device or by a
computer terminal.

(3) (A) Prizes EXCEPT AS PROVIDED IN SUBSECTION (3)(B),
PRIZES over \$100,000 may in the discretion of the commission
be paid either in one lump sum or in equal yearly
installments without interest over a period of-not-more-than
20-years,--except--that--each--installment--payment--must--be--at
least--\$20,000 and-in-an-amount--to--be--determined--by--the
commission OF NOT MORE THAN 20 YEARS AND IN YEARLY
INSTALLMENT PAYMENTS OF NOT LESS THAN \$20,000.

(B) IF THE COMMISSION ENTERS INTO AN AGREEMENT UNDER
THE PROVISIONS OF 23-7-202(8) TO PARTICIPATE IN A GAME FOR
PRIZES OF OVER \$100,000 THAT REQUIRES PAYMENT PERIODS OF
MORE THAN 20 YEARS OR YEARLY INSTALLMENT PAYMENTS OF LESS
THAN \$20,000 AS A CONDITION OF PARTICIPATION, THE COMMISSION
MAY ADOPT THE INSTALLMENT PAYMENT AMOUNTS AND TIME PERIODS
NECESSARY TO COMPLY WITH THE CONDITIONS OF THE GAME.

(4) Prizes not claimed within 6 months are forfeited
and must be paid into the state lottery fund. No interest is
due on a prize when a claim is delayed but made within 6
months.

(5) The right to a prize is not assignable, but prizes
may be paid to a deceased winner's estate or to a person
designated by judicial order."

-End-

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SECOND READING

HOUSE BILL NO. 59

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BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT GIVING THE STATE LOTTERY COMMISSION DISCRETION TO SET TIME PERIOD AND INSTALLMENT AMOUNTS FOR PAYMENT OF LOTTERY PRIZES IN EXCESS OF \$100,000; AND AMENDING SECTION 23-7-311, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-7-311, MCA, is amended to read:

"23-7-311. Drawings for and payment of prizes -- unclaimed prizes. (1) All drawings must be held in public. The selection of winning tickets may not be performed by an employee of the lottery or by a member of the commission. All drawings must be witnessed by a professional staff employee of the legislative auditor's office, and all lottery drawing equipment used in public drawings to select winning prizes or participants for prizes must be examined by the director's staff and a professional staff employee of the legislative auditor's office prior to and after each public drawing.

(2) The commission may provide for the immediate payment of prizes by the ticket or chance sales agent who sold the winning ticket or chance whenever the amount of the

prize is less than an amount set by commission rule. Payment may not be made directly by a machine or device or by a computer terminal.

(3) (A) Prizes EXCEPT AS PROVIDED IN SUBSECTION (3)(B), PRIZES over \$100,000 may in the discretion of the commission be paid either in one lump sum or in equal yearly installments without interest over a period of not more than 20 years, except that each installment payment must be at least \$20,000 and in an amount to be determined by the commission OF NOT MORE THAN 20 YEARS AND IN YEARLY INSTALLMENT PAYMENTS OF NOT LESS THAN \$20,000.

(B) IF THE COMMISSION ENTERS INTO AN AGREEMENT UNDER THE PROVISIONS OF 23-7-202(8) TO PARTICIPATE IN A GAME FOR PRIZES OF OVER \$100,000 THAT REQUIRES PAYMENT PERIODS OF MORE THAN 20 YEARS OR YEARLY INSTALLMENT PAYMENTS OF LESS THAN \$20,000 AS A CONDITION OF PARTICIPATION, THE COMMISSION MAY ADOPT THE INSTALLMENT PAYMENT AMOUNTS AND TIME PERIODS NECESSARY TO COMPLY WITH THE CONDITIONS OF THE GAME.

(4) Prizes not claimed within 6 months are forfeited and must be paid into the state lottery fund. No interest is due on a prize when a claim is delayed but made within 6 months.

(5) The right to a prize is not assignable, but prizes may be paid to a deceased winner's estate or to a person designated by judicial order."

-End-

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INSTALLMENT AMOUNTS FOR PAYMENT OF LOTTERY PRIZES IN EXCESS
OF \$100,000; AND AMENDING SECTION 23-7-311, MCA."

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The selection of winning tickets may not be performed by an
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All drawings must be witnessed by a professional staff
employee of the legislative auditor's office, and all
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payment of prizes by the ticket or chance sales agent who
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PRIZES over \$100,000 may in the discretion of the commission
be paid either in one lump sum or in equal yearly
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~~least \$20,000 and in an amount to be determined by the~~
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INSTALLMENT PAYMENTS OF NOT LESS THAN \$20,000.

(B) IF THE COMMISSION ENTERS INTO AN AGREEMENT UNDER
THE PROVISIONS OF 23-7-202(8) TO PARTICIPATE IN A GAME FOR
PRIZES OF OVER \$100,000 THAT REQUIRES PAYMENT PERIODS OF
MORE THAN 20 YEARS OR YEARLY INSTALLMENT PAYMENTS OF LESS
THAN \$20,000 AS A CONDITION OF PARTICIPATION, THE COMMISSION
MAY ADOPT THE INSTALLMENT PAYMENT AMOUNTS AND TIME PERIODS
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months.

(5) The right to a prize is not assignable, but prizes
may be paid to a deceased winner's estate or to a person
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-End-

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REFERENCE BILL