
By: Ways and Means Committee (Departmental - Lottery)

Introduced and read first time: February 21, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Lottery - Procurement - Promotion of the State Lottery**

3 FOR the purpose of exempting the Maryland State Lottery from the General

4 Procurement Law for certain private sector cooperative marketing projects under
5 certain circumstances; authorizing the State Lottery Director to contract for the
6 promotion of the State Lottery under certain circumstances; and generally relating
7 to the Maryland State Lottery Agency.

8 BY repealing and reenacting, with amendments,

9 Article - State Finance and Procurement
10 Section 11-203(a)(1)(xiv) and (xv)
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1996 Supplement)

13 BY adding to

14 Article - State Finance and Procurement
15 Section 11-203(a)(1)(xvi)
16 Annotated Code of Maryland
17 (1995 Replacement Volume and 1996 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article - State Government
20 Section 9-111(a)
21 Annotated Code of Maryland
22 (1995 Replacement Volume and 1996 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article - State Finance and Procurement**

26 11-203.

27 (a) Except as provided in subsection (b) of this section, this Division II does not
28 apply to:

29 (1) procurement by:

2

1 (xiv) the Department of Business and Economic Development, for
2 negotiating and entering into private sector cooperative marketing projects that directly
3 enhance promotion of Maryland and the tourism industry where there will be a private
4 sector contribution to the project if not less than 50% of the total cost of the project, if
5 the project is reviewed by the Attorney General and approved by the Secretary of
6 Business and Economic Development or the Secretary's designee; [and]

7 (xv) the Forvm for Rural Maryland; AND

8 (XVI) THE MARYLAND STATE LOTTERY AGENCY, FOR
9 NEGOTIATING AND ENTERING INTO PRIVATE SECTOR COOPERATIVE MARKETING
10 PROJECTS THAT DIRECTLY ENHANCE PROMOTION OF THE MARYLAND STATE
11 LOTTERY AND ITS PRODUCTS, IF THE COOPERATIVE MARKETING PROJECT:

12 1. PROVIDES A SUBSTANTIVE PROMOTIONAL OR
13 MARKETING VALUE THAT THE LOTTERY DETERMINES ACCEPTABLE IN EXCHANGE
14 FOR ADVERTISING OR OTHER PROMOTIONAL ACTIVITIES PROVIDED BY THE
15 LOTTERY; AND

16 2. IS REVIEWED BY THE ATTORNEY GENERAL AND
17 APPROVED BY THE MARYLAND LOTTERY DIRECTOR OR THE DIRECTOR'S
18 DESIGNEE.

19 **Article - State Government**

20 9-111.

21 (a) The Director shall:

22 (1) supervise and administer the State lottery in accordance with the
23 regulations of the Agency and this subtitle;

24 (2) confer, at least once a month, with the Commission on the operation and
25 administration of the State lottery;

26 (3) make available to the Commission any record or other information of
27 the Agency that the Commission requests;

28 (4) advise the Commission about any change needed to improve the
29 operation or administration of the State lottery;

30 (5) with the approval of the Commission and subject to Division II of the
31 State Finance and Procurement Article, contract for:

32 (i) the operation of all or any part of the State lottery; AND

33 (ii) [the promotion of the State lottery; and

34 (iii)]the use of space, for advertising or promotional purposes, on
35 tickets or publications distributed by the Agency; [and]

36 (6) submit monthly to the Comptroller and to the Commission a certified
37 statement of the total State lottery revenues and the total prize disbursements and other
38 expenses for the preceding month; AND

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1 (7) WITH THE APPROVAL OF THE COMMISSION, CONTRACT FOR THE
2 PROMOTION OF THE STATE LOTTERY AND ENTER INTO PRIVATE SECTOR
3 COOPERATIVE MARKETING PROJECT AGREEMENTS AS PROVIDED FOR IN §
4 11-203(A)(1)(XVI) OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 1997.