
By: Ways and Means Committee (Departmental - Lottery)

Introduced and read first time: February 21, 1997

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 17, 1997

CHAPTER ____

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)

2

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - State Finance and Procurement**

4 11-203.

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

7 (1) procurement by:

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

14 (xv) the Forvm for Rural Maryland; AND

15 (XVI) THE MARYLAND STATE LOTTERY AGENCY, FOR
16 NEGOTIATING AND ENTERING INTO PRIVATE SECTOR COOPERATIVE MARKETING
17 PROJECTS THAT DIRECTLY ENHANCE PROMOTION OF THE MARYLAND STATE
18 LOTTERY AND ITS PRODUCTS, IF THE COOPERATIVE MARKETING PROJECT:

19 1. PROVIDES A SUBSTANTIVE PROMOTIONAL OR
20 MARKETING VALUE THAT THE LOTTERY DETERMINES ACCEPTABLE IN EXCHANGE
21 FOR ADVERTISING OR OTHER PROMOTIONAL ACTIVITIES PROVIDED BY THE
22 LOTTERY; AND

23 2. IS REVIEWED BY THE ATTORNEY GENERAL AND
24 APPROVED BY THE MARYLAND LOTTERY DIRECTOR OR THE DIRECTOR'S
25 DESIGNEE.

26 **Article - State Government**

27 9-111.

28 (a) The Director shall:

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

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

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

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

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

3

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

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

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

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

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

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