

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH70634-LB-276 (04/28)

Short Title: Lottery Oversight Committee. (Public)

Sponsors: Representatives B. Allen, Owens, Harrison, and Holliman (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE JOINT LEGISLATIVE LOTTERY OVERSIGHT
3 COMMITTEE, AND TO PROVIDE FOR THE LOTTERY COMMISSION TO
4 SEND REPORTS TO THAT COMMITTEE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Chapter 120 of the General Statutes is amended by adding a
7 new Article to read:

8 "Article 32.

9 "Joint Legislative Lottery Oversight Committee.

10 "§ 120-280. Creation and membership of Joint Legislative Lottery Oversight
11 Committee.

12 The Joint Legislative Lottery Oversight Committee is established. The Committee
13 consists of 16 members as follows:

- 14 (1) Five members of the Senate appointed by the President Pro Tempore
15 of the Senate.
16 (2) Three public members, two of whom are public school educators but
17 not school administrators, and one of whom is a member of a county
18 board of commissioners, appointed by the President Pro Tempore of
19 the Senate.
20 (3) Five members of the House of Representatives appointed by the
21 Speaker of the House of Representatives.
22 (4) Three public members who are public school educators, one of whom
23 is not a school administrator and two of whom are school
24 administrators, appointed by the Speaker of the House of
25 Representatives.

1 Terms on the Committee are for two years and begin on the convening of the
2 General Assembly in each odd-numbered year, except that the terms of the initial
3 members begin upon appointment and upon convening of the 2007 Regular Session of
4 the General Assembly. Members of the General Assembly may complete a term of
5 service on the Committee even if they do not seek reelection or are not reelected to the
6 General Assembly, but resignation or removal from service in the General Assembly
7 constitutes resignation or removal from service on the Committee.

8 A member continues to serve until his successor is appointed. A vacancy shall be
9 filled within 30 days by the officer who made the original appointment.

10 **"§ 120-281. Purpose and powers of Committee.**

11 (a) The Joint Legislative Lottery Oversight Committee:

12 (1) Shall study ways to ensure that the purposes for which the North
13 Carolina Lottery was established are being met and that the net
14 proceeds from the Lottery will not be used to supplant education
15 funding but to provide additional funding for education.

16 (2) Is a permanent oversight committee to monitor the operation of the
17 Lottery and the budgeting and spending of the Lottery's proceeds, and
18 to receive and review reports currently required to be sent to the
19 General Assembly under Chapter 18C of the General Statutes.

20 (3) Shall study any other Lottery matters that the Committee considers
21 necessary to fulfill its mandate.

22 (4) Shall report within 15 days of convening of each regular session of the
23 General Assembly on its oversight of the State Lottery.

24 (b) The Committee may make interim reports to the General Assembly on
25 matters for which it may report to a regular session of the General Assembly. A report
26 to the General Assembly may contain any legislation needed to implement a
27 recommendation of the Committee.

28 **"§ 120-282. Organization of Committee.**

29 (a) The President Pro Tempore of the Senate and the Speaker of the House of
30 Representatives shall each designate a cochair of the Joint Legislative Lottery Oversight
31 Committee. The Committee shall meet at least once a quarter and may meet at other
32 times upon the joint call of the cochairs. The Committee may meet at various locations
33 around the State to promote greater public participation in its deliberations.

34 (b) A quorum of the Committee is nine members. No action may be taken except
35 by a majority vote at a meeting at which a quorum is present. While in the discharge of
36 its official duties, the Committee has the powers of a joint committee under G.S. 120-19
37 and G.S. 120-19.1 through G.S. 120-19.4.

38 (c) Members of the Committee shall receive per diem, subsistence, and travel
39 allowance as provided in G.S. 120-3.1, 138-5, or 138-6, as appropriate. The Committee
40 may contract for consultants or hire employees in accordance with G.S. 120-32.02. The
41 Legislative Services Commission, through the Legislative Services Officer, shall assign
42 professional staff to assist the Committee in its work. Upon the direction of the
43 Legislative Services Commission, the Supervisors of Clerks of the Senate and of the

1 House of Representatives shall assign clerical staff to the Committee. The expenses for
2 clerical employees shall be borne by the Committee.

3 **"§ 120-283. Additional powers.**

4 The Joint Legislative Lottery Oversight Committee, while in discharge of official
5 duties, shall have access to any paper or document and may compel the attendance of
6 any State official or employee before the Committee or secure any evidence under
7 G.S. 120.19. In addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the
8 proceedings of the Committee as if it were a joint committee of the General Assembly."

9 **SECTION 2.** G.S. 18C-115 reads as rewritten:

10 **"§ 18C-115. Reports.**

11 The Commission shall send quarterly and annual reports on the operations of the
12 Commission to the Governor, State Treasurer, the Joint Legislative Lottery Oversight
13 Committee, and to the General Assembly. The reports shall include complete statements
14 of lottery revenues, prize disbursements, expenses, net revenues, and all other financial
15 transactions involving lottery funds, including the occurrence of any audit."

16 **SECTION 3.** There is appropriated from the General Fund to the General
17 Assembly for fiscal year 2006-2007 the sum of fifty thousand dollars (\$50,000) to
18 support the Joint Legislative Lottery Oversight Committee.

19 **SECTION 4.** This act becomes effective July 1, 2006.