

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

H

1

HOUSE BILL 2212

Short Title: Lottery Oversight Committee. (Public)

Sponsors: Representatives B. Allen, Owens, Harrison, Holliman (Primary Sponsors); Adams, Bell, Carney, Church, Cleveland, Coates, Coleman, Crawford, Cunningham, Daughtry, Earle, Eddins, England, Faison, Farmer-Butterfield, Fisher, Glazier, Goforth, Goodwin, Gulley, Hackney, Haire, Hill, Insko, Jeffus, Jones, Ed Jones, Justice, Justus, LaRoque, Lucas, Luebke, McAllister, McLawhorn, McMahan, Nye, Parmon, Pate, Pierce, Preston, Rapp, Ross, Saunders, Spear, Sutton, Tolson, Tucker, Underhill, Warren, Weiss, Wilkins, Williams, Womble, Wray, Wright, and Yongue.

Referred to: Rules, Calendar, and Operations of the House.

May 18, 2006

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE JOINT LEGISLATIVE LOTTERY OVERSIGHT COMMITTEE, AND TO PROVIDE FOR THE LOTTERY COMMISSION TO SEND REPORTS TO THAT COMMITTEE.

The General Assembly of North Carolina enacts:

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

"Article 32.

"Joint Legislative Lottery Oversight Committee.

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

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

- (1) Five members of the Senate appointed by the President Pro Tempore of the Senate.
- (2) Three public members, two of whom are public school educators but not school administrators, and one of whom is a member of a county board of commissioners, appointed by the President Pro Tempore of the Senate.
- (3) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.

1 (4) Three public members who are public school educators, one of whom
2 is not a school administrator and two of whom are school
3 administrators, appointed by the Speaker of the House of
4 Representatives.

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

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

14 **"§ 120-281. Purpose and powers of Committee.**

15 (a) The Joint Legislative Lottery Oversight Committee:

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

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

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

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

28 (b) The Committee may make interim reports to the General Assembly on
29 matters for which it may report to a regular session of the General Assembly. A report
30 to the General Assembly may contain any legislation needed to implement a
31 recommendation of the Committee.

32 **"§ 120-282. Organization of Committee.**

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

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

42 (c) Members of the Committee shall receive per diem, subsistence, and travel
43 allowance as provided in G.S. 120-3.1, 138-5, or 138-6, as appropriate. The Committee
44 may contract for consultants or hire employees in accordance with G.S. 120-32.02. The

1 Legislative Services Commission, through the Legislative Services Officer, shall assign
2 professional staff to assist the Committee in its work. Upon the direction of the
3 Legislative Services Commission, the Supervisors of Clerks of the Senate and of the
4 House of Representatives shall assign clerical staff to the Committee. The expenses for
5 clerical employees shall be borne by the Committee.

6 **"§ 120-283. Additional powers.**

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

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

13 **"§ 18C-115. Reports.**

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

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

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