

18 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

553 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
(~~includes~~Includes rules ~~of~~ of ~~STATE~~of STATE LIQUOR AND LOTTERY
COMMISSION)

Chapter 10: MAINE STATE LOTTERY

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SUMMARY: This chapter provides the rules for operation of the Maine State Lottery including types of games offered, price of tickets, number and size of prizes, manner of selecting winning tickets, the method of paying prizes, the sale of tickets and the licensing, performance, fee charges and compensation of ticket agents

SECTION 1. DEFINITIONS

1. **Act.** “Act” means the Maine State Lottery laws as found in 8 M.R.S.A. chapter 14-A.
2. **Agent.** “Agent” means a person or that person’s representative who has been licensed to sell lottery tickets under the Act.

3. Application or App. “Application” or “App” means App” means a software application used on a mobile device that allows communication between a customer and an agent licensed to receive orders for draw and instant games using the internet- over the internet.

[MP1]

4. **Bureau.** “Bureau” means the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial ~~Services~~-Services.

- ~~54.~~ **Commission.** “Commission” means the State Liquor and Lottery Commission.

- ~~65.~~ **Commissioner.** “Commissioner” means the Commissioner of Administrative and Financial Services.

- ~~76.~~ **Director.** “Director” means the director of the bureau.

- ~~87.~~ **Drop box.** “Drop Box” means any container, designated by the State Lottery as a receptacle for non-winning tickets or any other form of entry designated by the State Lottery for the purpose of special promotions.

- ~~8. — On-line Agent. “On-line Agent” means an agent who has been authorized by the State Lottery to sell on-line game lottery tickets through the use of a computer terminal.~~

9. **Person.** “Person” means an individual, association, corporation, club, trust, estate, society, company, receiver, trustee, assignee, referee or other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, or any combination of individuals. “Person” also means all departments, commissions, ~~agencies~~agencies, and instrumentalities of the State, including counties and municipalities and agencies and instrumentalities of counties or municipalities.

10. **State Lottery.** “State Lottery” means the Maine State Lottery established and operated pursuant to the Act.

11. **Substantial change of ownership.** “Substantial change in ownership” means a transfer of 50% or more of the equity of any business licensed pursuant to these rules.

12. **Ticket.** “Ticket” means a lottery ticket or share issued by the State Lottery for sale to the general ~~public~~public. “Ticket” includes an instant lottery ticket, ~~or an on-line draw~~ game lottery ticket or other terminal generated ticket.

- ~~132.~~ **Voucher.** “Voucher” means any lottery printed receipt redeemable for cash or merchandise.

SECTION 2. LICENSE ELIGIBILITY AND APPLICATION

1. **Issuance.** The director or director’s designee may issue licenses to any qualified person to act as an agent on behalf of the State Lottery to sell lottery ~~tickets~~tickets.
2. **Limitation.** A license to act as an agent may not be issued to any person to engage in business exclusively as an agent for the State Lottery.
3. **Application.** A person interested in obtaining a license as an agent shall file an application form with the State Lottery.
4. **Qualifications for agent license.** In deciding whether to issue a license to an applicant, the director ~~shall~~ consider all relevant factors, including, but not limited to the following. When considering these factors, the director or director’s designee may establish standards for a factor ~~with regard to~~regarding a license that includes authorization to sell ~~on-line draw~~ games that are different from standards for a license to sell instant games only.
 - A. The financial responsibility and security of the person and the person’s business or ~~activity~~activity.
 - B. The accessibility of the applicant’s place of business or activity to the public;
 - C. The sufficiency of existing licenses in the applicant’s area to serve the public convenience;
 - D. The volume of expected sales;
 - E. The honesty and integrity of the applicant;
 - F. The veracity of the information supplied in the application for a lottery license;
 - G. Any debts owed by the applicant to the State of Maine;
 - H. The business experience and general fitness of the applicant to act as a agent for the State Lottery; and
 - I. Whether licensing of the applicant would be in the State Lottery’s and the public’s interests.

5. **Grounds for denial.** The director or director's designee, may deny an applicant a license to act as an agent for the State Lottery based on the ~~director's~~ determination that licensing of the applicant is not in the best interests of the State Lottery.
6. **Ineligibility.** The following persons are ineligible to obtain a license as a lottery agent:
 - A. A person who has been convicted of any criminal offense;
 - B. A firm or corporation in which a person who has been convicted of a criminal offense has a proprietary, equitable or credit interest of 5% or more;
 - C. An organization in which a person who has been convicted of a criminal offense is an officer, director or managing agent, whether compensated or not;
 - D. An organization in which a person who has been convicted of a criminal offense is to participate in the management or sale of lottery tickets; and
 - E. A person who is younger than 18 years of age. This paragraph does not prohibit an agent's employee under the age of 18 from selling lottery tickets in the regular and ordinary course of the agent's business.
7. **Rehabilitation.** The director or director's designee, subject to the approval of the commission, may grant a license as a lottery agent to any person, firm, corporation or organization that is ineligible for a license under subsection 6 because of a conviction of a criminal offense if the person who was convicted of the criminal offense proves to the satisfaction of the commission that the person has been fully rehabilitated.

SECTION 3. SPECIAL AND SEASONAL LICENSES

1. **Special licenses.** The director or director's ~~may~~ designee, may issue special licenses subject to such special conditions or limitations as ~~the director considered~~ the director considers prudent and consistent with the dignity of the State, the general welfare of the people, and the dignity and integrity of the State Lottery.
2. **Special limitations and conditions.** Special limitations and conditions include, but are not limited to:
 - A. The duration of the license;
 - B. Hours or days of sales;
 - C. Location of sales;
 - D. The specific business or organization which may sell tickets;
 - E. Specific sporting, charitable, social or other special events where lottery tickets may be sold; and
 - F. Application or internet-based ~~internet-based~~ ordering; and

G. Any other conditions or limitations ~~considered which the director considers~~ prudent and determined ~~ds~~ to be in the best interests of the State Lottery and the State of Maine.

3. **Seasonal license.** A seasonal license may be issued by the director ~~or director's designee,~~ under such terms and subject to such limitations and conditions as ~~the director considers~~ prudent and in the best interests of the State. A seasonal license must be valid for a predetermined length of time. The ~~period of time~~ period must be reviewed annually by the director.
4. **Subject to rules.** Agents holding special or seasonal licenses are subject to all the rules adopted by the commission and the statutes governing the State Lottery and the "Agent Agreement for Sale of Lottery Tickets."

SECTION 4. CONDITIONS OF LICENSE

The following are conditions of a license to sell lottery tickets.

1. **Conditions of license.** The agent agrees to sign and be bound by the terms and conditions specified in the "Agent Agreement for Sale of Lottery Tickets."
2. **Legal requirements.** The agent agrees to be bound by and to comply with the laws and statutes governing the State Lottery and any rules, instructions and directives of the director and the commission. The agent shall hold the State and the commission, its officers, agents, and employees, harmless from any liability that results from the agent's failure to comply with the Act, and the rules, instructions and directives issued by the director and the commission.
3. **Tickets for sale.** The agent agrees to have lottery tickets visibly displayed for sale to the general public during normal business hours ~~s.~~ s.
4. **Promotion.** The agent agrees to actively promote the sale of all State Lottery products which the agent is authorized to sell and to post prominently point-of-sale and other promotional materials provided by the State Lottery.
5. **Sales-related materials.** The agent agrees to maintain authorized displays, drop boxes, and other materials used in conjunction with sales in accordance with instructions issued by the commission or the director.
6. **Records.** The agent agrees to maintain current and accurate records of all operations in conjunction with the sale of lottery tickets and in conformity with the rules, ~~instructions~~ instructions, and directives of the Director. The agent's records must be available to representatives of the State Lottery upon request for inspection and audit.
7. **Price.** The agent agrees not to sell tickets at any price other than the price stated on the ticket.
- 7-A. **Promotional uses.** The director, with the approval of the commission, may issue guidelines permitting the commission or director to approve the use of tickets for sales promotions.

8. **Report of loss or theft.** The agent agrees to immediately report the loss or theft of any lottery tickets and their identifying numbers to the State Lottery and ~~to~~ [contact](#) local law enforcement ~~[authorities](#)~~ [authorities](#).

SECTION 5. NON-TRANSFERABILITY OF LICENSE

1. **License nontransferable.** A State Lottery agent license is not transferable. The State Lottery is under no obligation to assign or transfer the license or any on-line terminal to a new owner.
2. **Sale or cessation of business.** An agent must notify the State Lottery at least 15 business days before the agent's intent to sell, substantially change ownership or cease operation of the agent's business either temporarily or permanently. If an ~~agent~~^{agent} sells, ceases ~~operation~~^{operation}, or substantially changes ownership of a business to which a license has been issued pursuant to these rules, the license terminates and is deemed to have expired as of the date the agent sells, ceases ~~operation~~^{operation}, or substantially changes ownership. The State Lottery may remove an on-line terminal from an agent's premises if there is a sale or cessation of business or a substantial change of ownership of the agent.
3. **Change of business name or location.** If the business to which a license has been issued pursuant to these rules changes its business location or business name without prior approval of the State Lottery, the license terminates and is deemed to have expired as of the date of that change. Every change of business location or business name must be reported in writing to the director at least 15 days prior to the change. The director may waive the ~~15-day~~^{15-day} notification requirement if the director believes that waiver is in the best interests of the State Lottery.

SECTION 6. LICENSE FEE

1. **Fee.** The State Lottery may charge a non-refundable license application fee not to exceed \$50 for each license for which application is made.
2. **Change of location or business; no fee.** A license fee may not be charged if a business for which a license has already been issued changes its location or business with the prior written approval of the State Lottery but does not substantially change ownership.

SECTION 7. BONDING OF AGENTS

1. **Bond.** The ~~director or director's commission may~~^{director or director's designee, may} require a surety bond from any agent in an amount that the ~~commission~~^{director or director's designee} determines is necessary to protect the State and the State Lottery from any monetary loss because of an agent's activities in the sale of tickets. The bond, if required, is a condition of becoming or continuing as an agent for the State Lottery.
2. **Financial statement.** The State Lottery may require a financial statement revealing the financial condition of any person or organization seeking to become or continue to be an agent for the State Lottery. In lieu of or in addition to any surety bond which the State Lottery requires, the State Lottery may seek any other guarantee or surety, including the acquisition of a blanket bond.

SECTION 8. LICENSE EXPIRATION AND RENEWAL

1. **Duration of license.** An agent's license remains in full force and effect until:
 - A. The agent terminates the agent's relationship with the State Lottery by failing or refusing to sell lottery tickets or by otherwise communicating to the State Lottery that the agent no longer intends to sell tickets on behalf of the State Lottery;
 - B. The license is terminated by a substantial change of ownership or a change of business location or name without State Lottery approval; or
 - C. The license is terminated by revocation or suspension by the State Lottery pursuant to the Act and these rules.
2. **Surrender of license.** An agent whose license has expired or been terminated for any reason shall immediately surrender to the director, or the director's designee, the agent's license and any other lottery material supplied to the agent.
3. **Obligation to provide tickets.** Although an agent possesses a valid license, the State Lottery may decline to provide lottery tickets for sale by the agent or disconnect a [lottery terminal](#) ~~on-line terminal~~ if the agent is in violation of any provision of the Act, these rules or the terms and conditions of the "Agent Agreement for Sale of Lottery Tickets." A license provides the agent the authority to sell tickets on behalf of the State Lottery; it does not require the State Lottery to provide the agent with tickets to sell.

SECTION 9. REVOCATION AND SUSPENSION OF A LICENSE

1. **Suspension or revocation.** The commission may suspend or revoke, after notice and hearing and in a manner consistent with the provisions of the Maine Administrative Procedure Act, any license issued by the State Lottery to an agent.
2. **Temporary suspension.** An agent's license may be temporarily suspended by the [commission](#) ~~director~~ without prior notice, pending any prosecution, investigation or hearing.
3. **Just cause.** A license may be suspended or revoked by the commission for just cause, which includes, but is not limited to, any one or more of the following reasons:
 - A. Failure to account for tickets received or the proceeds of the sale of tickets, to file a bond if required by the commission or to comply with the instructions of the commission or the director concerning the licensed activity;
 - B. Any conviction of a criminal offense of a person who becomes ineligible for a license under section 2 as a result of the conviction;
 - C. Failure to file any return or report, to keep appropriate records or to pay any tax;
 - D. Engaging in fraud, deceit, misrepresentation or conduct prejudicial to public confidence or to the State Lottery;
 - E. Insufficiency of the number of tickets sold by the agent;

- F. A material change, since issuance of the license, with respect to any of the matters considered by the director in issuing the license; or
 - G. Any violation or failure to comply with any provision of the Act, these rules , or the terms or conditions of the “Agent Agreement to Sell Lottery Tickets.”
4. **Effect of suspension or revocation of Tri-State Lotto license.** Except in the case of suspension or revocation for the reasons set forth in 8 M.R.S.A. §412 sub-§1, paragraphs E or F, any suspension or revocation of a Tri-State Lotto license automatically results in suspension of a license issued by the Maine State Lottery.
 5. **Notice of hearing.** If the director, acting pursuant to 8 M.R.S.A. §372, sub-§2, paragraph F, recommends to the commission that it suspend or revoke an agent’s license, the director shall notify the agent in writing by regular mail that the commission will conduct a hearing to determine whether there is just cause to suspend or revoke the agent’s license. The director shall provide the notice at least 20 days before the scheduled date of the hearing. The director shall provide notice to the public if required by the Maine Administrative Procedure Act, 5 M.R.S.A. §9052, sub-§3.
 6. **Hearing.** A hearing to determine whether an agent’s license should be suspended or revoked must be conducted by the commission. The chair of the commission, or a person designated by the commission pursuant to 5 M.R.S.A. §9062, shall preside over the hearing. The hearing must be recorded in a form capable of being reduced to a written transcript. The presiding officer shall rule on all questions of the admissibility of evidence, administer oaths and affirmations, regulate the course of the hearing, and take other actions as authorized by statute or these rules.
 7. **Hearing procedures.** The director has the burden of presenting the reasons why just cause exists to suspend or revoke the agent’s license. The director has the burden of proof of establishing by substantial evidence that just cause exists. The rules of evidence observed by courts are not applicable to revocation or suspension proceedings, but the provisions of the Maine Administrative Procedure Act governing evidence, (5 M.R.S.A. §9057) apply. The agent may cross examine any witnesses called by the director and inspect any documentary evidence submitted by the director. The agent may call witnesses on the agent’s behalf, examine such witnesses and present any documentary evidence on the agent’s behalf.
 8. **Decision.** At the conclusion of the hearing, the commission shall render its decision on the record or may issue a written decision. The decision of the commission constitutes final agency action within the meaning of the Maine Administrative Procedures Act. If the agent’s license is suspended or revoked, the agent must be advised on the record or in writing of the right to have the commission’s decision reviewed by the Superior Court.
 9. **Final accounting.** Upon termination of an agent’s license for any reason, including revocation or suspension, the agent shall meet with the assigned lottery staff member on a date designated by the director for the purpose of rendering a final lottery accounting.
 10. **Surrender of license.** Upon notice of revocation or suspension, an agent shall immediately surrender to the director or the director’s designee, any lottery material supplied to the agent.

11. **Failure of agent to appear.** If an agent fails to appear at any hearing before the commission to determine whether just cause exists to suspend or revoke the agent's license, the commission may conduct the hearing in the absence of the agent and render such decision as it considers proper on the basis of the evidence presented.

SECTION 10. LOST, STOLEN AND DAMAGED TICKETS

1. **Stolen, lost or damaged tickets.** Stolen, lost, or damaged tickets are considered void and are not eligible to win a prize. If tickets are stolen or lost while in the possession of an agent, the agent shall pay the State Lottery for the tickets less sales commission. Agents are responsible for filing claims with their insurance companies, if any, if tickets are lost or stolen while in the agent's possession. Tickets that are mutilated or damaged while in the possession of an agent are the responsibility of the agent, and the agent shall pay the State Lottery for the tickets less sales commission.
2. **Report of loss or theft.** The agent shall immediately report any theft or loss of tickets to the State Lottery and to local law enforcement authorities and shall pay for the tickets on the agent's settlement date.
3. **Effect of recovery of tickets.** If lost or stolen lottery tickets are recovered prior to being received by a retailer to any winnings being paid, the agent is not liable for payment for the tickets-. The State Lottery shall issue a credit for the tickets recovered if the agent has promptly notified the State Lottery of the theft or loss and the agent has been invoiced for the tickets. -
4. **Removal from pool.** Stolen, lost or damaged tickets may be removed from the prize pool in question and do not entitle any person to any prize.
5. **Credit for mutilated or damaged tickets.** An agent may be issued a credit for a mutilated or damaged ticket if the director finds that fairness justifies the credit. A mutilated or altered ticket is void and does not entitle any person to any prize.
6. **Hold harmless.** If an agent has been issued a credit for recovered stolen, lost, mutilated or damaged tickets, the agent must agree to hold the Lottery harmless from any liability.
7. **Extenuating circumstances.** If, in the judgment of the director, there are extenuating circumstances, the director shall evaluate each individual case and make such adjustment, credit or decision as the director judges fair and reasonable and in the best interests of the State Lottery.

SECTION 11. SALE, INSPECTION, COMPENSATION, DEPOSITORIES AND TICKET PURCHASES

1. **Selling points.** The State Lottery may sell tickets at any selling point it establishes within the State of Maine.
2. **Effect of order or acceptance of tickets.** All instant tickets, ordered or accepted by an agent from the State Lottery or its authorized representative, are deemed to have been purchased by the agent.
3. **Issuance by commission.** A lottery ticket may not be sold by an agent unless the ticket has been issued to the agent by the commission.
4. **Inspection.** An agent shall allow inspection of the premises upon reasonable request by authorized representatives of the State Lottery. The inspections may be made without prior notice to the agent.
5. **Sales commission.** An agent is entitled to a minimum 7% sales commission for all instant tickets sold and a minimum 5% sales commission for all draw and terminal generated game~~on-line~~ tickets sold. The director may, with the approval of the commission, increase the minimum sales commission for both instant and ~~on-line~~draw game tickets sold for particular games. Agents who sell tickets in a non-standard manner, including instant tickets sold through a vending machine or other approved device, may be subject to a different sales commission structure as determined by the commission.
6. **Seller's bonus.** An agent is entitled to a selling bonus not to exceed 1% of the prize for ~~instant winning instant~~ tickets of \$1,000 and over sold at the agent's location. An agent is entitled to a selling bonus for winning draw and terminal generated game tickets sold at the agent's location as dictated by the game rules.
7. **Additional incentives.** The director may, with the approval of the commission, award additional cash prizes or other incentives, including cashing bonuses to agents.
8. **Deposit; reports.** The State Lottery may require agents to establish electronic funds transfer (EFT) accounts and establish procedures for transferring funds from the account that are owed to the State Lottery on a timely basis. An agent shall deposit into the agent's EFT account on a timely basis all money received from the sale of lottery tickets, less the amount of any sales commissions, fees and sums paid out to winners as prizes by the agent.
9. **Insufficient funds.** The commission may establish a procedure for suspension and termination of an agent's license if the agent has accumulated at least 3 notices of insufficient funds to pay amounts owed to the State Lottery. The procedure may require payment of all amounts owed and the establishment of an escrow account to ensure payment before the agent's license may be reactivated.

SECTION 12. INSTANT LOTTERY TICKETS

1. **Authority to operate instant lottery games.** The ~~director~~director, with the approval of the commission, may operate instant lottery games and prepare tickets for instant lottery games for sale to the general public.
- 1-A. **Price.** The Director, with the approval of the Commission, may sell tickets at any selling price it establishes within the State of Maine.
2. **Duration of games.** The duration of an instant lottery game must be determined by the director and announced in appropriate directives.
3. **Format of game.** A series of numbers or symbols concealed from view must be printed on each ticket for an instant lottery game. According to procedures and instructions as announced and provided with each instant game, matching or adding the proper symbols or numbers when revealed entitles the bearer of a valid ticket to the prizes indicated on the ticket in accordance with the prize structure previously announced in appropriate directives. No drawing may be required to determine the winner of an instant lottery ticket. Drawings may be held to determine additional winners of prizes in connection with any instant lottery game. The printed instructions on the instant lottery ticket constitute the “rules of the game” being played.
4. **Possession of ticket required to win.** In order to be entitled to the prize indicated on an instant lottery ticket, the bearer must possess a valid winning ticket. No exceptions may be made to this rule.
5. **Signed agent agreement required.** An agent may not sell instant lottery tickets unless the agent has signed the “Agent Agreement for Sale of Lottery Tickets.”

SECTION 13. ~~DRAW GAME~~ON-LINE LOTTERY TICKETS

1. **Authority to ~~operate~~operate draw games~~on-line~~games.** The ~~director~~director, with the approval of the commission, may operate ~~on-line~~draw lottery games requiring a drawing of numbers to determine the winners. The director may arrange for the preparation of tickets to ~~on-line~~draw lottery games which must be sold at a price determined by the commission. Tickets to ~~on-line~~draw lottery games must be imprinted with the amount of the wager or price of the ticket, as well as the drawing date or dates. All ticket sales must be made through an official lottery ~~on-line~~draw game computer terminal or other lottery approved device.
- 1-A. **Price.** The commission shall determine the price of tickets within a range of \$1 to ~~\$205~~.
2. **Signed agent agreement required.** Tickets may be sold only by licensed, ~~on-line~~ agents pursuant to the Act, these rules and the terms and conditions of the “Agent Agreement for Sale of Lottery Tickets.” An agent may not sell ~~on-line lottery~~draw lottery game tickets unless the agent has signed the “Agent Agreement for Sale of Lottery Tickets.”
3. **Responsibilities of a player.** In order to be entitled to a prize for ~~an on-line~~draw lottery game, the claimant must be the holder of a valid winning ticket, that is recorded in the

computer log file of the State Lottery as a valid winning ticket. An exception to this rule may not be made. It is the player's responsibility to determine, at the time of purchase, that the ticket received accurately reflects the wager the player wishes to make and the numbers the player wishes to play. The placing of bets is done at the player's own risk. If the claimant possesses a misprinted ticket, incorrect ticket, void ticket or a ticket printed in error, that was not corrected at the time of purchase, the director may authorize the claimant to receive a refund of the purchase price of the ticket. This refund is the sole remedy for any person who does not possess a valid winning ticket.

4. **Application.** This section applies to ~~drawn-line~~ games operated by the State Lottery under the authority of 8 M.R.S.A. chapter 14-A. It does not apply to games operated under the authority of the Tri-State Lotto Compact.

SECTION 14. SUBSCRIPTION LOTTERY TICKETS

1. **Subscription program.** The director, with the approval of the commission, may operate and supervise a subscription lottery program for sale to the public. Subscription tickets must be sold on a quarterly (~~26 draws~~13 weeks), semi-annual (~~52 draws~~26 weeks) and annual (~~104 draws~~52 weeks) basis. The director, with the approval of the commission, shall determine the price of subscription tickets and may, with the approval of the commission, discount the cost to the public of a subscription series. The duration of each subscription ticket must ~~be provided to the subscriber~~be printed on the ticket.
2. **Substitution or refund.** If a lottery game for which subscription tickets have been sold is discontinued, the State Lottery shall issue, at the director's discretion, to all subscription ticket holders tickets for an active lottery game at a comparable value or cash refunds for the period of subscription beyond the termination date of the game.
3. **Out-of-state subscriptions; credit cards.** Subscriptions may be sold to addresses outside the State of Maine if such out-of state subscriptions are not prohibited by federal law. The State Lottery may accept ~~telephone~~ orders with a valid debit or credit card.

SECTION 15. PRIZE STRUCTURE

1. **Prize pool.** The prize pool for lottery games must be not less than 45% of the gross receipts.
2. **Use of prize pool.** The prize pool must be used to :
 - A. Pay the holders of winning tickets; and
 - B. Pay special prizes or bonuses as specified by the director, with the approval of the commission.
3. **Prize structure.** The director, with the approval of the commission, shall determine the distribution of the prize pool and the number and size of prizes and shall announce the prize structure in appropriate directives.

4. **Unclaimed prizes.** Unclaimed prize money for a prize for which there was a drawing must be retained by the director for the person entitled to it for one year after the drawing in which the prize was won. If no claim is made for the money within that year, the prize money must be transferred to the General Fund as undedicated revenue.

Unclaimed prize money for a game for which there is no drawing must be retained by the director for a reasonable period of time and may be transferred to the General Fund if the director determines that adequate funds have been retained to pay anticipated delayed claims.

SECTION 16. DRAWINGS

1. **Drawings.** Drawings may be used to award prizes. The director, with the approval of the commission, shall determine the frequency of drawings and the procedures for each drawing and announce the procedures in appropriate directives prior to the drawing.

SECTION 17. PRIZE PAYMENT AND CLAIMING PRIZES

1. **Direct payment of prizes.** All ~~instant~~ prizes of \$100 or less must be paid directly by ~~licensed instant ticket agents, and all instant and on-line ticket prizes up to \$599 must be paid directly by the on-line agents.~~ Licensed agents may pay ~~instant ticket~~ prizes up to \$599. The claimant shall present the winning ticket to an agent, fill out the claimant's name and address on the back of the ticket and show a valid photo identification or other form of identification as approved by the director. The agent, after examining the ticket, confirming that it has not been altered and verifying that the ticket is a valid winning ticket, shall pay the claimant directly.
2. **Payment of other prizes.** All other prizes must be paid from State Lottery Headquarters, either in person to the claimant, or by means of a mailed-in claim form from a claimant. The claimant shall send the winning ticket, copy of a photo identification or other form of identification as approved by the ~~and director and~~ a completed claim form according to procedures specified by the director to State Lottery Headquarters for verification. The claimant is responsible for retaining a copy of the claim for the claimant's records. The State Lottery is not responsible for tickets lost or misdelivered during the course of mailing. Upon receipt of the winning ticket and its verification as a winning ticket, the State Lottery shall send the prize to the claimant by mail.
3. **Multiple winners.** More than one person may claim an interest in a winning ticket. Prize payment warrants may be made out to multiple payees if each payee signs an appropriate document acknowledging the right of all other payees to a share of the winning ticket and prize and agreeing to hold the State Lottery harmless from liability.

SECTION 18. ELIGIBILITY TO BUY

1. **Sales to minors prohibited.** A person may not sell a lottery ticket to a person under the age of 18 years . This subsection does not prohibit the purchase of a ticket by a person 18 years of age or older for the purpose by of making a gift to a person less than 18 years of age. An agent who knowingly sells or offers to sell a lottery ticket to a person under 18 years of age commits a civil violation in accordance under 8 M.R.S.A. ~~§§~~ 380 and is subject to suspension and revocation of the agent’s license.
2. **Officers and employees of the commission; relatives.** The following persons may not purchase a ticket or be paid a prize:
 - A. An officer of the commission;
 - B. Senior supervisory employees of the commission, as determined by the commission officers; and
 - C. A spouse, child, sibling, parent or person residing in the same household in the principal place of abode of the persons listed in paragraphs A and B.
3. **Agents.** Agents may purchase tickets and be awarded prizes.

SECTION 19. COMMISSION POLICY

- ~~1.~~ ~~1.~~ **Meetings.** The commission shall meet at least once each month to propose or adopt rules as necessary, to make recommendations and set policy for the operation of the State Lottery and to transact any other business that comes before the commission. To the maximum extent possible, the recommendations and policies of the commission must be written and maintained at State Lottery Headquarters in a manner readily available to the director, the State Lottery staff and members of the public.

SECTION 20. VOUCHERS

1. **Voucher Expiration:** “Vouchers” expire one year from the date of issue.

~~SECTION 20. LOTTO-AMERICA (REPEALED)~~

SECTION 21.SEVERABILITY OF PROVISIONS

- ~~1.~~ ~~1.~~ **Severability.** The provisions of these rules are severable. If any rule or provision of a rule is held invalid, or if any application thereof to any person or circumstance is held invalid, the invalidity does not effect other rules or provisions or applications which can be given affect without the invalid provision or application.

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STATUTORY AUTHORITY: 8 M.R.S.A. §374.

EFFECTIVE DATE:

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June 27, 1990 (Chapters 1-21)

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June 15, 1998 - minor spelling in Section 2(6).

AMENDED:

April 20, 2003 - Section 12(1-A)

May 26, 2008 – Section 11, filing 2008-202

MOVED TO 18-553, BUREAU OF ALCOHOL AND LOTTERY OPERATIONS, AS CHAPTER 10:

June 29, 2010