

§372. Director

The executive head of the bureau shall be the director. [PL 1987, c. 505, §2 (NEW).]

1. Appointment; qualifications.

[PL 1991, c. 780, Pt. Y, §108 (RP).]

2. Powers and duties. The director shall have the following powers and duties:

A. Supervise the operation of lotteries in accordance with this chapter and chapter 16 and with the rules adopted under this chapter and chapter 16; [PL 2011, c. 310, §2 (AMD).]

B. Act as the chief administrative officer, having general charge of the office and records and to employ such personnel as may be necessary to fulfill the purposes of this chapter and chapter 16. The personnel must be employed with the approval of the commissioner and are subject to the Civil Service Law, except for the deputy director who is appointed by and serves at the pleasure of the director; [PL 2011, c. 310, §2 (AMD).]

C. Act as executive secretary of the commission; [PL 1987, c. 505, §2 (NEW).]

D. In accordance with this chapter and chapter 16 and the rules adopted under this chapter and chapter 16, license as agents to sell lottery tickets such persons who, in the director's opinion, will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent in such amount as provided by rule. Every licensed agent shall prominently display the agent's license, or a copy of the license, as provided by rule; [PL 2011, c. 310, §2 (AMD).]

E. Confer regularly as necessary or desirable and not less than once each month with the commissioner on the operation and administration of the lotteries; make available for inspection by the commissioner, upon request, all books, records, files and other information and documents of the commission; advise the commissioner and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lotteries; [PL 1987, c. 505, §2 (NEW).]

F. [PL 2011, c. 310, §3 (RP).]

G. Subject to the approval of the commission and to any applicable laws relating to public contracts, enter into contracts for the operation of the lotteries, or any part of the lotteries, and into contracts for the promotion of the lotteries. All contracts must be awarded in accordance with rules adopted by the Department of Administrative and Financial Services pursuant to Title 5, chapters 141 to 145 and Title 5, sections 1812 and 1813. A contract awarded or entered into by the director may not be assigned by the holder of the contract, except by specific approval of the commission. [PL 2007, c. 466, Pt. A, §28 (AMD).]

H. Certify monthly to the commission and the commissioner a full and complete statement of lottery revenues, prize disbursements and other expenses for the preceding month; [PL 2019, c. 13, §1 (AMD).]

I. Carry on a continuous study and investigation of the lotteries throughout the State and the operation and administration of similar laws that may be in effect in other jurisdictions. The director, subject to the prior approval of the commission, may enter into a written agreement with a multijurisdictional lottery association for the operation, marketing and promotion of a joint lottery or joint lottery games with other jurisdictions.

Any final agreement entered into with a multijurisdictional lottery association must provide that the director has the authority to terminate the agreement upon the provision of reasonable notice, not to exceed 6 months. The final agreement must further provide that the director may terminate

the agreement at any time, without prior notice, in the event that the director's authority is withdrawn or limited by law; [PL 2019, c. 13, §2 (AMD).]

J. Assign duties as necessary to a designee; and [PL 2019, c. 13, §3 (AMD).]

K. Beginning February 15, 2020, submit a report annually, subject to the approval of the commission, to the Governor and the joint standing committees of the Legislature having jurisdiction over lottery matters and appropriations and financial affairs. The joint standing committee of the Legislature having jurisdiction over lottery matters may submit to the Legislature legislation based on the report. The report must include:

- (1) A list of the decisions made by the commission and resulting actions for the preceding calendar year relevant to lottery operations;
- (2) A complete statement of lottery revenues, prize disbursements and expenses and appropriations from the General Fund, if any, for the preceding calendar year;
- (3) A 5-year history of the account used to manage lottery operations, which must include the amount of revenues deposited into the State Lottery Fund and the amounts transferred to the General Fund;
- (4) A detailed statement of the expenditures made to promote lottery sales through marketing, advertising and recruitment of agents for the preceding calendar year;
- (5) A description of the lottery marketing and advertising activities for the preceding calendar year. The description must identify each radio station and television station, if any, that broadcast or distributed the advertising;
- (6) For each radio station and television station identified pursuant to subparagraph (5), the format of advertising activity and amount of the expenditures for the preceding calendar year associated with each station; and
- (7) Any recommendations for changes to this chapter. [PL 2019, c. 13, §4 (NEW).]

[PL 2019, c. 13, §§1-4 (AMD).]

SECTION HISTORY

PL 1987, c. 505, §2 (NEW). PL 1989, c. 879, §§1,2,4 (AMD). PL 1991, c. 780, §§Y108-112 (AMD). PL 1991, c. 796, §1 (AMD). PL 1991, c. 796, §§4,5 (AFF). PL 1993, c. 349, §23 (AMD). PL 2003, c. 673, §MM1 (AMD). PL 2007, c. 466, Pt. A, §28 (AMD). PL 2011, c. 310, §§2, 3 (AMD). PL 2019, c. 13, §§1-4 (AMD).

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