

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1708

Session of
1985

INTRODUCED BY ITKIN, PETRONE, TRELLO, BOOK, WIGGINS,
D. R. WRIGHT, J. L. WRIGHT, STABACK, MAYERNIK, PISTELLA,
STEWART, NAHILL, CHADWICK, CALTAGIRONE, JOHNSON, DALEY,
KUKOVICH, COY, BLAUM, FISCHER, GEORGE, VROON, DeLUCA,
McVERRY, E. Z. TAYLOR, MRKONIC, BELFANTI, FOX, DISTLER,
PERZEL, HALUSKA, FLICK, PRESSMANN, WOGAN, HAGARTY, RYBAK,
DEAL, STEVENS, MICOZZIE, KOSINSKI, DAWIDA, OLASZ, GAMBLE,
FATTAH, ARTY, IRVIS, ANGSTADT, PRESTON, CIMINI, TELEK,
LEVANSKY, MORRIS, J. TAYLOR, TRUMAN AND COLAFELLA,
OCTOBER 2, 1985

REFERRED TO COMMITTEE ON FINANCE, OCTOBER 2, 1985

AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled
2 "An act providing for a State Lottery and administration
3 thereof; authorizing the creation of a State Lottery
4 Commission; prescribing its powers and duties; disposition of
5 funds; violations and penalties therefor; exemption of prizes
6 from State and local taxation and making an appropriation,"
7 further providing for payments from the State Lottery Fund to
8 support an optical and aural assistance program; and making
9 editorial changes.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Sections 2, 6(a)(11) and 12 of the act of August
13 26, 1971 (P.L.351, No.91), known as the State Lottery Law,
14 amended October 17, 1980 (P.L.1088, No.184), are amended to
15 read:

16 Section 2. Statement of Purpose.--This act is enacted to
17 establish a lottery to be operated by the State, the net

1 proceeds of which are to be used after June 30, 1972 for the
2 purposes of providing property tax relief for the elderly for
3 taxes paid in 1971 and thereafter to persons sixty-five years of
4 age or older and for providing certain free fixed route local
5 transit services to persons sixty-five years of age or older and
6 reduced fare on group ride transit service to persons sixty-five
7 years of age or older. The net proceeds shall also be used for
8 the support of an optical and aural assistance program pursuant
9 to the act of (P.L. , No.), known as the
10 "Optical-Aural Assistance to the Aged Act." It is further
11 intended to provide a means through which to curb illegal
12 gambling operations in Pennsylvania.

13 Section 6. Powers and Duties of the Secretary of Revenue.--

14 (a) In addition to the powers and duties provided by law and
15 "The Administrative Code of 1929," the Secretary of Revenue
16 shall have the power and it shall be his duty to operate and
17 administer the lottery, and to promulgate rules and regulations
18 governing the establishment and operation thereof, including but
19 not limited to:

20 * * *

21 (11) The apportionment of the total revenues accruing from
22 the sale of lottery tickets or shares and from all other sources
23 among (i) the payment of prizes to the holders of winning
24 tickets or shares; (ii) the payment of costs incurred in the
25 operation and administration of the lottery, including the
26 expenses of the division and the costs resulting from any
27 contract or contracts entered into for promotional, advertising
28 or operational services or for the purchase or lease of lottery
29 equipment and materials; (iii) for the repayment of the moneys
30 appropriated to the State Lottery Fund pursuant to section 16 of

1 this act; and (iv) for property tax relief [and], free or
2 reduced fare transit service and optical and aural assistance
3 for the elderly as provided in section 12 of this act: Provided,
4 however, That no less than thirty per cent of the total revenues
5 accruing from the sale of lottery tickets or shares shall be
6 dedicated to subclause (iv) above.

7 * * *

8 Section 12. Disposition of Funds from Sale of Tickets or
9 Shares.--(a) All moneys received from the operation of the
10 State lottery shall be deposited in a State Lottery Fund which
11 is hereby created. Such moneys shall be used to the extent
12 necessary for the payment of lottery prizes but the amount so
13 used shall not be less than forty per cent of the amount of
14 which tickets or shares have been sold. All payments of lottery
15 prizes and for expenses of operation of the lottery shall be
16 made as provided by law. All moneys remaining after payment of
17 prizes and operating expenses shall remain in the State Lottery
18 Fund and shall be allocated for the purpose of providing
19 property tax relief for the elderly for taxes paid in 1971 and
20 thereafter pursuant to the provisions of the act of March 11,
21 1971 (P.L.104, No.3), known as the ["Senior Citizens Property
22 Tax or Rent Rebate and Older Persons Inflation Needs Act,"]
23 "Senior Citizens Rebate and Assistance Act," and for the purpose
24 of providing free or reduced fare transit service for the
25 elderly pursuant to the act of January 22, 1968 (P.L.42, No.8),
26 known as the ["Pennsylvania Urban Mass Transportation Assistance
27 Law of 1967,"]"Pennsylvania Urban Mass Transportation Law," and
28 the act of February 11, 1976 (P.L.14, No.10), known as the
29 "Pennsylvania Rural and Intercity Common Carrier Surface
30 Transportation Assistance [Act.]" Act," and optical and aural

1 assistance to the elderly pursuant to the act of
2 (P.L. , No.), known as the "Optical-Aural Assistance to the
3 Aged Act." In the event sufficient funds are not available from
4 the lottery receipts to meet the requirements of the act of
5 March 11, 1971 (P.L.104, No.3), known as the ["Senior Citizens
6 Property Tax or Rent Rebate and Older Persons Inflation Needs
7 Act,"] "Senior Citizens Rebate and Assistance Act," or for
8 providing free or reduced fare transit service for the elderly
9 under the act of January 22, 1968 (P.L.42, No.8), known as the
10 ["Pennsylvania Urban Mass Transportation Assistance Law of
11 1967,"] "Pennsylvania Urban Mass Transportation Law," and the
12 act of February 11, 1976 (P.L.14, No.10), known as the
13 "Pennsylvania Rural and Intercity Common Carrier Surface
14 Transportation Assistance Act," or optical and aural assistance
15 to the elderly pursuant to the act of (P.L. ,
16 No.), known as the "Optical-Aural Assistance to the Aged Act,"
17 additional funds to fulfill these obligations, shall be
18 appropriated from the General Fund for this purpose.

19 (b) The moneys in said State Lottery Fund shall be
20 appropriated only:

21 (1) For the payment of prizes to the holders of winning
22 lottery tickets or shares;

23 (2) For the expenses of the division in its operation of the
24 lottery;

25 (3) For property tax relief [and], free or reduced fare
26 transit service and optical and aural assistance for the elderly
27 as provided under section 12 of this act; and

28 (4) For transfer to the General Fund through June 30, 1972,
29 and for the repayment to the General Fund of the amount
30 appropriated to the fund pursuant to section 16 of this act.

1 Section 2. This act shall take effect January 1, 1986.