

# Enrolled Senate Bill 149

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CHAPTER .....

## AN ACT

Relating to Oregon Racing Commission licensing fees; creating new provisions; and amending ORS 462.070 and 462.725.

### Be It Enacted by the People of the State of Oregon:

**SECTION 1.** ORS 462.070 is amended to read:

462.070. (1) *[The license fees for any one fiscal year shall be \$10 for any person required to be licensed under ORS 462.020 (2). For a person who qualifies for and desires a license in more than one category, the fee shall be \$2 for each additional category so licensed. Notwithstanding the foregoing, the total collective fee for all persons who act as employees of a race meet licensee at a race meet in which the average daily gross mutuel wagering during the preceding fiscal year did not exceed \$150,000 shall be \$100.]* **The Oregon Racing Commission may adopt rules establishing license fees for persons described in ORS 462.020 (2), not to exceed \$30 per year. Prior to adopting a rule that establishes a fee for a license, the commission shall review the fees charged for similar licenses in other states.** The *[Oregon Racing]* commission also may charge a reasonable fee for claiming certificates in an amount not to exceed \$10.

(2) The license fee per fiscal year for operators of public training tracks or kennels required to be licensed under ORS 462.020 (3) shall be:

- (a) For the Oregon State Fair or a county or district fair, \$10.
- (b) For all other operators of public training tracks or kennels, \$25.

(3) *[Notwithstanding the provisions of this section, on and after July 1, 1983,]* The commission may by rule provide for *[the issuance of licenses as required under subsection (1) of this section]* **a license that is issued to a person described in ORS 462.020 (2) to be valid for one, two or three years from date of issuance. The commission may fix the expiration date *[thereof and charge a fee at not less than the annual rate for each year, or part thereof, the license is determined valid]* of the license and may prorate the fee established for the license.**

**SECTION 2.** ORS 462.725 is amended to read:

462.725. (1) Notwithstanding any other provision of this chapter, the Oregon Racing Commission may develop and adopt rules to license and regulate all phases of operation of “Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs” located in Oregon. In addition to the other rules of operation adopted by the commission, the commission shall adopt a rule setting the amount that may be taken from the gross receipts of the multi-jurisdictional mutuel system.

(2) All employees working in Oregon and all officers of any “Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs” located and operating in Oregon must obtain a license

from the Oregon Racing Commission prior to the commencement of business or employment. [The fees for such licenses shall be the same as set forth in ORS 462.070.] **The commission shall adopt rules establishing license fees for the employees and officers, not to exceed \$30 per year.**

(3) Payments to be made to the Oregon Racing Commission include:

(a) "Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hub" license fee not more than \$200 per operating day.

(b) Not more than one percent of total gross mutuel wagering receipts recorded by the totalizator system.

(4) Of the moneys received by the Oregon Racing Commission under subsection (3)(b) of this section, 33-1/3 percent shall be paid to the State Treasurer for deposit in the General Fund and 66-2/3 percent shall be retained by the commission. The Oregon Racing Commission may adopt rules under which the moneys retained by the commission may be distributed for the benefit of the Oregon pari-mutuel racing industry.

**SECTION 3. Notwithstanding the amendments to ORS 462.070 and 462.725 by sections 1 and 2 of this 2011 Act, a person obtaining a license required under ORS 462.020 (2) or 462.725 (2) shall pay the license fee established under ORS 462.070 as set forth in the 2009 Edition of Oregon Revised Statutes unless the Oregon Racing Commission adopts a rule establishing a different fee for the license.**

**SECTION 4. Section 3 of this 2011 Act is repealed January 1, 2013.**

Passed by Senate March 3, 2011

Received by Governor:

Repassed by Senate June 13, 2011

.....M.,....., 2011

Approved:

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Robert Taylor, Secretary of Senate

.....M.,....., 2011

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Peter Courtney, President of Senate

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John Kitzhaber, Governor

Passed by House June 7, 2011

Filed in Office of Secretary of State:

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Bruce Hanna, Speaker of House

.....M.,....., 2011

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Arnie Roblan, Speaker of House

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Kate Brown, Secretary of State