

Enrolled House Bill 4028

Sponsored by Representatives KENNEMER, TOMEI; Representatives FAGAN, GELSER,
KENY-GUYER, PARRISH, VEGA PEDERSON, Senators DEVLIN, MONNES ANDERSON
(Presession filed.)

CHAPTER

AN ACT

Relating to problem gambling treatment; amending ORS 391.130 and 461.500; and declaring an emergency.

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

SECTION 1. ORS 461.500 is amended to read:

461.500. (1) Except for such moneys as are necessary to temporarily fund the start-up of the state-operated lottery established by the Constitution of the State of Oregon and this chapter, the Oregon State Lottery shall operate as a self-supporting revenue-raising agency of state government and [no] appropriations, loans or other transfers of state funds [shall] **may not** be made to it.

(2) At least 84 percent of the total annual revenues from the sale of state lottery tickets or shares shall be returned to the public in the form of prizes and net revenues benefiting the public purpose described in [section 4,] Article XV, **section 4**, of the Constitution of the State of Oregon. At least 50 percent of the total annual revenues shall be returned to the public in the form of prizes as described in this chapter. All unclaimed prize money shall remain the property of the commission and shall be allocated to the benefit of the public purpose.

(3) No more than 16 percent of the total annual revenues shall be allocated for payment of expenses of the state lottery as described in this chapter. To the extent that expenses, including the contingency reserve, of the state lottery are less than 16 percent of the total annual revenues as described in this chapter, any surplus funds shall also be allocated to the benefit of the public purpose.

(4) For the purpose of ensuring the integrity, security, honesty and fairness of the state lottery, the Oregon State Lottery may use moneys allocated, as costs of administration, for the payment of expenses of the state lottery pursuant to subsection (3) of this section for expenses incurred to:

(a) Adopt and implement rules intended to minimize problem gambling risks and mitigate problem gambling harms;

(b) Advertise the availability of problem gambling treatment programs in this state, including contact information for the programs;

(c) Collect and report data, and establish metrics, regarding problem gambling; and

(d) Cooperate with or assist the Oregon Health Authority and providers of problem gambling treatment programs to the extent that the cooperation or assistance is consistent with the mission, described in ORS 461.200, to operate the state lottery so as to produce the

maximum amount of net revenues to benefit the public purpose described in Article XV, section 4, of the Constitution of the State of Oregon, commensurate with the public good.

SECTION 2. ORS 391.130 is amended to read:

391.130. (1) In each fiscal year beginning with the fiscal year commencing July 1, 1991, there is allocated, from the Administrative Services Economic Development Fund created by ORS 461.540, the amount of \$8 million. However, commencing with the first fiscal year next following the fiscal year in which bonds are first issued under ORS 391.140, there shall be allocated from such fund the amount of \$10 million in each fiscal year. In each fiscal year after bonds are first issued, the Director of Transportation shall certify any funds allotted in excess of amounts necessary to pay the annual debt service on the outstanding bonds and to fund the amounts committed to be paid in the current or any future fiscal year under any written agreement or commitment entered into by the Director of Transportation pursuant to ORS 391.120 (2). The certified amount shall immediately be returned to the Administrative Services Economic Development Fund. All amounts allocated under this section shall be transferred to the Regional Light Rail Extension Construction Fund established by ORS 391.120.

(2) The annual amounts required to be transferred to the Regional Light Rail Extension Construction Fund under subsection (1) of this section, together with all investment earnings on the amounts on deposit from time to time in the Regional Light Rail Extension Construction Fund, are continuously appropriated only for the purposes of:

- (a) Funding the Westside corridor extension of light rail referred to in ORS 391.120; and
- (b) Paying the principal and interest on revenue bonds issued under ORS 391.140.

(3) Except as provided in subsection (4) of this section, and notwithstanding any other provision of law, the annual allocation made by this section shall be satisfied and credited as and when net proceeds from the operation of the state lottery are received and before any other allocation, appropriation or disbursement of the net proceeds from the operation of the state lottery is made in the applicable fiscal year.

(4) For purposes of this section, net proceeds from the operation of the state lottery in each fiscal year include all revenues derived from the operation of the state lottery in each fiscal year less:

(a) The revenues used in that fiscal year for the payment of prizes and the expenses of the state lottery as provided in [section 4 (4)(d),] Article XV, **section 4 (4)(d)**, of the Oregon Constitution, ORS 461.500 [(2)] and 461.510 (3) and (4); and

(b) The revenues required to be applied, distributed or allocated as provided in ORS 461.543.

(5) The transfer of moneys to the Regional Light Rail Extension Construction Fund authorized by this section shall cease when the Director of Transportation certifies in writing that transfers of moneys under this section are no longer necessary because:

(a) Moneys in the Regional Light Rail Extension Construction Fund are sufficient for the payment of all amounts committed to be paid under all written agreements or commitments entered into between the Director of Transportation and the Tri-County Metropolitan Transportation District pursuant to ORS 391.120 with respect to the Westside corridor extension of light rail referred to in ORS 391.120 (2)(a), and to pay all amounts of principal of and interest on the outstanding revenue bonds issued under ORS 391.140; and

(b) The Westside corridor extension of light rail referred to in ORS 391.120 (2)(a) has been completed and such project has been accepted by the Department of Transportation, and all claims, suits and actions arising out of such project that could create a liability payable out of the moneys in the Regional Light Rail Extension Construction Fund have been resolved.

(6) The Director of Transportation shall deliver a copy of such certification to the Governor and the State Treasurer. Upon receipt of the director's written certification that transfer of moneys to the Regional Light Rail Extension Construction Fund under this section is no longer necessary, the State Treasurer shall thereafter credit moneys received by the Regional Light Rail Extension Construction Fund under this section to the Administrative Services Economic Development Fund created by ORS 461.540.

SECTION 3. This 2014 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect on its passage.

Passed by House February 11, 2014

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate February 26, 2014

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2014

Approved:

.....M,....., 2014

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2014

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Kate Brown, Secretary of State