

**PROPOSED AMENDMENTS TO
HOUSE BILL 4028**

1 On page 1 of the printed bill, line 2, after “treatment;” delete the rest of
2 the line and delete line 3 and insert “amending ORS 391.130 and 461.500; and
3 declaring an emergency.”.

4 Delete lines 5 through 29.

5 On page 2, delete lines 1 through 14 and insert:

6 **“SECTION 1.** ORS 461.500 is amended to read:

7 “461.500. (1) Except for such moneys as are necessary to temporarily fund
8 the start-up of the state-operated lottery established by the Constitution of
9 the State of Oregon and this chapter, the Oregon State Lottery shall operate
10 as a self-supporting revenue-raising agency of state government and [*no*] ap-
11 propriations, loans or other transfers of state funds [*shall*] **may not** be made
12 to it.

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

21 “(3) No more than 16 percent of the total annual revenues shall be allo-
22 cated for payment of expenses of the state lottery as described in this chap-

1 ter. To the extent that expenses, including the contingency reserve, of the
2 state lottery are less than 16 percent of the total annual revenues as de-
3 scribed in this chapter, any surplus funds shall also be allocated to the
4 benefit of the public purpose.

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

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

12 **“(b) Advertise the availability of problem gambling treatment pro-**
13 **grams in this state, including contact information for the programs;**

14 **“(c) Collect and report data, and establish metrics, regarding prob-**
15 **lem gambling; and**

16 **“(d) Cooperate with or assist the Oregon Health Authority and**
17 **providers of problem gambling treatment programs to the extent that**
18 **the cooperation or assistance is consistent with the mission, described**
19 **in ORS 461.200, to operate the state lottery so as to produce the max-**
20 **imum amount of net revenues to benefit the public purpose described**
21 **in Article XV, section 4, of the Constitution of the State of Oregon,**
22 **commensurate with the public good.**

23 **“SECTION 2. ORS 391.130 is amended to read:**

24 **“391.130. (1) In each fiscal year beginning with the fiscal year commenc-**
25 **ing July 1, 1991, there is allocated, from the Administrative Services Eco-**
26 **nomic Development Fund created by ORS 461.540, the amount of \$8 million.**
27 **However, commencing with the first fiscal year next following the fiscal year**
28 **in which bonds are first issued under ORS 391.140, there shall be allocated**
29 **from such fund the amount of \$10 million in each fiscal year. In each fiscal**
30 **year after bonds are first issued, the Director of Transportation shall certify**

1 any funds allotted in excess of amounts necessary to pay the annual debt
2 service on the outstanding bonds and to fund the amounts committed to be
3 paid in the current or any future fiscal year under any written agreement
4 or commitment entered into by the Director of Transportation pursuant to
5 ORS 391.120 (2). The certified amount shall immediately be returned to the
6 Administrative Services Economic Development Fund. All amounts allocated
7 under this section shall be transferred to the Regional Light Rail Extension
8 Construction Fund established by ORS 391.120.

9 “(2) The annual amounts required to be transferred to the Regional Light
10 Rail Extension Construction Fund under subsection (1) of this section, to-
11 gether with all investment earnings on the amounts on deposit from time to
12 time in the Regional Light Rail Extension Construction Fund, are contin-
13 uously appropriated only for the purposes of:

14 “(a) Funding the Westside corridor extension of light rail referred to in
15 ORS 391.120; and

16 “(b) Paying the principal and interest on revenue bonds issued under ORS
17 391.140.

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

24 “(4) For purposes of this section, net proceeds from the operation of the
25 state lottery in each fiscal year include all revenues derived from the oper-
26 ation of the state lottery in each fiscal year less:

27 “(a) The revenues used in that fiscal year for the payment of prizes and
28 the expenses of the state lottery as provided in [section 4 (4)(d),] Article
29 XV, **section 4 (4)(d)**, of the Oregon Constitution, ORS 461.500 [(2)] and
30 461.510 (3) and (4); and

1 “(b) The revenues required to be applied, distributed or allocated as pro-
2 vided in ORS 461.543.

3 “(5) The transfer of moneys to the Regional Light Rail Extension Con-
4 struction Fund authorized by this section shall cease when the Director of
5 Transportation certifies in writing that transfers of moneys under this sec-
6 tion are no longer necessary because:

7 “(a) Moneys in the Regional Light Rail Extension Construction Fund are
8 sufficient for the payment of all amounts committed to be paid under all
9 written agreements or commitments entered into between the Director of
10 Transportation and the Tri-County Metropolitan Transportation District
11 pursuant to ORS 391.120 with respect to the Westside corridor extension of
12 light rail referred to in ORS 391.120 (2)(a), and to pay all amounts of prin-
13 cipal of and interest on the outstanding revenue bonds issued under ORS
14 391.140; and

15 “(b) The Westside corridor extension of light rail referred to in ORS
16 391.120 (2)(a) has been completed and such project has been accepted by the
17 Department of Transportation, and all claims, suits and actions arising out
18 of such project that could create a liability payable out of the moneys in the
19 Regional Light Rail Extension Construction Fund have been resolved.

20 “(6) The Director of Transportation shall deliver a copy of such certifi-
21 cation to the Governor and the State Treasurer. Upon receipt of the
22 director’s written certification that transfer of moneys to the Regional Light
23 Rail Extension Construction Fund under this section is no longer necessary,
24 the State Treasurer shall thereafter credit moneys received by the Regional
25 Light Rail Extension Construction Fund under this section to the Adminis-
26 trative Services Economic Development Fund created by ORS 461.540.”.

27 In line 15, delete “5” and insert “3”.

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