On page 1 of the printed bill, line 2, after “System;” insert “creating new provisions; amending ORS 475B.759 and 475B.895;”. Delete lines 14 through 16. On page 2, line 21, delete “employer’s employer". In line 22, delete “contribution rate calculated under ORS 238.225” and insert “unfunded actuarial liability attributable to the employer, as determined in the most recent report prepared under ORS 238.605;”. After line 23, insert: “(c) After the 180-day period described in paragraph (b) of this subsection, any participating public employer may apply to reserve matching funds from the Employer Incentive Fund under subsection (1) of this section.”. Delete lines 39 through 45 and delete pages 3 through 6. On page 7, delete lines 1 through 37 and insert:

“AMORTIZATION PERIOD FOR LUMP SUM PAYMENTS

“SECTION 3a. Section 3b of this 2018 Act is added to and made a part of ORS chapter 238.

“SECTION 3b. If a participating public employer makes a lump sum payment to an account established under ORS 238.229 in an amount equal to or greater than $10 million, the Public Employees Retirement Board shall allow the participating public employer to choose an amortization period of six years, 10 years, 16 years or 20 years for the use of the lump sum payment to offset contributions to the system that the public employer would otherwise be required to make for the liabilities against which the lump sum payment is applied.

“NOTE: Sections 4 through 11 were deleted by amendment. Subsequent sections were not re-numbered.

“PROCEEDS FROM DEBT COLLECTION

“SECTION 12. (1) Not later than January 31 of each year, the Oregon Department of Administrative Services shall calculate:

“(a) The average amount per fiscal year collected by or on behalf of state agencies required to report under ORS 293.229 for liquidated and delinquent accounts owed to the General Fund during the three fiscal years preceding the immediately preceding fiscal year; and

“(b) The amount collected by or on behalf of state agencies required to report under ORS
293.229 for liquidated and delinquent accounts owed to the General Fund during the immediately preceding fiscal year, as reported under ORS 293.229.

“(2) If the amount calculated under subsection (1)(b) of this section exceeds the average calculated under subsection (1)(a) of this section, the department shall coordinate the transfer from the General Fund of an amount equal to the excess, less any amount required to be returned to taxpayers under ORS 291.349, to the Public Employees Retirement Fund established in ORS 238.660. The department shall coordinate the transfer of amounts required under this section at least once in each biennium. The Public Employees Retirement Board shall credit the amounts transferred to the account established under section 24 (1) of this 2018 Act.

“SECTION 12a. (1) The Oregon Department of Administrative Services shall make the first calculation under section 12 (1)(a) of this 2018 Act no later than January 31, 2019, for the three fiscal years beginning July 1, 2014.

“(2) Notwithstanding section 12 (2) of this 2018 Act, the department shall coordinate the first transfer of amounts required under section 12 (2) of this 2018 Act no later than January 31, 2020.

“SECTION 12b. Section 12 of this 2018 Act is repealed on December 31, 2024.

“PROCEEDS FROM CAPITAL GAINS TAX

“SECTION 13. (1) Not earlier than July 1 and not later than October 1 of the years 2019, 2021 and 2023, the division of the Oregon Department of Administrative Services that serves as office of economic analysis shall:

“(a) Calculate the rate of change in the tax liability from personal income taxes on taxable capital gains during the five preceding biennia; and

“(b) Use the rate of change calculated under paragraph (a) of this subsection to forecast the tax liability from personal income taxes on taxable capital gains for the biennium beginning on July 1 of the year in which the calculation is made.

“(2) Not later than November 1 of the odd-numbered year following each calculation under subsection (1) of this section, the Oregon Department of Administrative Services, in consultation with the Department of Revenue, shall estimate the tax liability from personal income taxes on taxable capital gains for the previous biennium.

“(3) Not later than November 30 of the odd-numbered year in which the estimate is made under subsection (2) of this section, the Oregon Department of Administrative Services, in consultation with the Department of Revenue, shall determine whether the tax liability from personal income taxes on capital gains estimated under subsection (2) of this section exceeds the tax liability from personal income taxes on taxable capital gains forecasted under subsection (1) of this section.

“(4) The Department of Revenue shall transfer an amount equal to the amount of any excess calculated under subsection (3) of this section, less any amount required to be returned to taxpayers under ORS 291.349, to the Public Employees Retirement Fund established under ORS 238.660. The Public Employees Retirement Board shall credit the amounts transferred to the account established under section 24 (1) of this 2018 Act.

“(5) The Department of Revenue shall retain unreceipted revenue from the tax imposed under ORS chapter 316 in an amount necessary to make the transfer required under sub-
section (4) of this section. The department shall make the transfer out of the unreceipted revenue in lieu of paying the revenue over to the State Treasurer for deposit in the General Fund.

"SECTION 14. The division of the Oregon Department of Administrative Services that serves as office of economic analysis shall make the first calculation required under section 13 (1) of this 2018 Act not later than October 1, 2019. The calculation shall be for the five biennia beginning July 1, 2009.

"PROCEEDS FROM ESTATE TAXES"

"SECTION 15. (1) Not earlier than July 1 and not later than October 1 of the years 2019, 2021 and 2023, the division of the Oregon Department of Administrative Services that serves as office of economic analysis shall:

“(a) Calculate the rate of change in collections from estate taxes during the five preceding biennia; and

“(b) Use the rate of change calculated under paragraph (a) of this subsection to forecast the collections from estate taxes for the biennium beginning on July 1 of the year in which the calculation is made.

“(2) Not later than November 1 of the odd-numbered year following each calculation under subsection (1) of this section, the Oregon Department of Administrative Services, in consultation with the Department of Revenue, shall estimate the collections from estate taxes for the previous biennium.

“(3) Not later than November 30 of the odd-numbered year in which the estimate is made under subsection (2) of this section, the Oregon Department of Administrative Services, in consultation with the Department of Revenue, shall determine whether the collections from estate taxes estimated under subsection (2) of this section exceed the collections from estate taxes forecasted under subsection (1) of this section.

“(4) The Department of Revenue shall transfer an amount equal to the amount of any excess calculated under subsection (3) of this section, less any amount required to be returned to taxpayers under ORS 291.349, to the Public Employees Retirement Fund established under ORS 238.660. The Public Employees Retirement Board shall credit the amounts transferred to the account established under section 24 (1) of this 2018 Act.

“(5) The Department of Revenue shall retain unreceipted revenue from estate taxes imposed under ORS 118.005 to 118.540 in an amount necessary to make the transfer required under subsection (4) of this section. The department shall make the transfer out of the unreceipted revenue in lieu of paying the revenue over to the State Treasurer for deposit in the General Fund.

"SECTION 16. The division of the Oregon Department of Administrative Services that serves as office of economic analysis shall make the first calculation required under section 15 (1) of this 2018 Act not later than October 1, 2019. The calculation shall be for the five biennia beginning January 1, 2009.”.

In line 41, delete “2021,” and insert “2019, 2021 and”.

In line 42, delete “and 2025”.

On page 8, delete line 6 and insert “, less the 20 percent of the moneys transferred to the Oregon Marijuana Account under ORS 475B.760 that are required to be transferred to cities and
counties under ORS 475B.759 (3)(b), from the Oregon Marijuana Account established under ORS 475B.759 to the Public Employees Retire-”.

After line 14, insert:

“SECTION 17a. ORS 475B.759 is amended to read:

“475B.759. (1) There is established the Oregon Marijuana Account, separate and distinct from the General Fund.

“(2) The account shall consist of moneys transferred to the account under ORS 475B.760.

“(3)(a) The Department of Revenue shall certify quarterly the amount of moneys available in the Oregon Marijuana Account.

“(b) Subject to subsection (4) of this section, the department shall transfer quarterly 20 percent of the moneys in the Oregon Marijuana Account as follows:

“(A) Ten percent of the moneys in the account must be transferred to the cities of this state in the following shares:

“(i) Seventy-five percent of the 10 percent must be transferred in shares that reflect the population of each city of this state that is not exempt from this paragraph pursuant to subsection (4)(a) of this section compared to the population of all cities of this state that are not exempt from this paragraph pursuant to subsection (4)(a) of this section, as determined by Portland State University under ORS 190.510 to 190.610, on the date immediately preceding the date of the transfer; and

“(ii) Twenty-five percent of the 10 percent must be transferred in shares that reflect the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day of the calendar quarter preceding the date of the transfer for premises located in each city compared to the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day of that calendar quarter for all premises in this state located in cities; and

“(B) Ten percent of the moneys in the account must be transferred to counties in the following shares:

“(i) Fifty percent of the 10 percent must be transferred in shares that reflect the total commercially available area of all grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the last business day of the calendar quarter preceding the date of the transfer for all premises located in each county compared to the total commercially available area of all grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the last business day of that calendar quarter for all premises located in this state; and

“(ii) Fifty percent of the 10 percent must be transferred in shares that reflect the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of the calendar quarter preceding the date of the transfer for premises located in each county compared to the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of that calendar quarter for all premises in this state.

“(c) [Eighty percent of] The remainder of the moneys in the Oregon Marijuana Account after the transfers required by paragraph (b) of this subsection and section 17 of this 2018 Act must be used as follows:

“(A) [Forty] 50 percent of the remaining moneys in the account must be used solely for purposes for which moneys in the State School Fund established under ORS 327.008 may be used;

“(B) [Twenty] 25 percent of the remaining moneys in the account must be used solely for purposes for which moneys in the Mental Health Alcoholism and Drug Services Account established under ORS 430.380 may be used;

“(C) [Fifteen] 18.75 percent of the remaining moneys in the account must be used solely for
purposes for which moneys in the State Police Account established under ORS 181A.020 may be used; and

“(D) [Five] 6.25 percent of the remaining moneys in the account must be used solely for purposes related to alcohol and drug abuse prevention, early intervention and treatment services.

“(4)(a) A city that has an ordinance prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required is not eligible to receive transfers of moneys under subsection (3)(b)(A) of this section.

“(b) A county that has an ordinance prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070 is required is not eligible to receive transfers of moneys under subsection (3)(b)(B)(i) of this section.

“(c) A county that has an ordinance prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required is not eligible to receive transfers of moneys under subsection (3)(b)(B)(ii) of this section.

“(5) In a form and manner prescribed by the Oregon Liquor Control Commission, each city and county in this state shall certify with the commission whether the city or county has an ordinance prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required. If a city fails to comply with this subsection, the city is not eligible to receive transfers of moneys under subsection (3)(b)(A) of this section. If a county fails to comply with this subsection, the county is not eligible to receive transfers of moneys under subsection (3)(b)(B) of this section.

“ SECTION 17b. ORS 475B.895 is amended to read:

“475B.895. (1) The Oregon Health Authority shall enter into an agreement with the Oregon Liquor Control Commission under which the commission shall use the system developed and maintained under ORS 475B.177 to track:

“(a) The propagation of immature marijuana plants and the production of marijuana by marijuana grow sites;

“(b) The processing of marijuana into medical cannabinoid products, cannabinoid concentrates and cannabinoid extracts that are transferred to a medical marijuana dispensary;

“(c) The transfer of usable marijuana, immature marijuana plants, medical cannabinoid products, cannabinoid concentrates and cannabinoid extracts by a marijuana grow site or a medical marijuana dispensary to a registry identification cardholder or the designated primary caregiver of a registry identification cardholder; and

“(d) The transfer of usable marijuana, immature marijuana plants, medical cannabinoid products, cannabinoid concentrates and cannabinoid extracts between marijuana grow sites, marijuana processing sites and medical marijuana dispensaries.

“(2) Marijuana grow sites, marijuana processing sites, medical marijuana dispensaries and any other person that processes marijuana into medical cannabinoid products and cannabinoid concentrates for the purpose of transferring the medical cannabinoid products and cannabinoid concentrates to a medical marijuana dispensary are subject to tracking under this section.

“(3) On and after the date on which a marijuana grow site becomes subject to tracking under this section, the person is exempt from the requirements of ORS 475B.816 and the provisions of ORS 475B.810 that relate to ORS 475B.816.

“(4) On and after the date on which a marijuana processing site becomes subject to tracking under this section, the marijuana processing site is exempt from the requirements of ORS 475B.846 and the provisions of ORS 475B.840 that relate to ORS 475B.846.
“(5) On and after the date on which a medical marijuana dispensary becomes subject to tracking under this section, the medical marijuana dispensary is exempt from the requirements of ORS 475B.867 and the provisions of ORS 475B.858 that relate to ORS 475B.867.

“(6) The commission may conduct inspections and investigations of alleged violations of ORS 475B.785 to 475B.949 about which the commission obtains knowledge as a result of performing the commission’s duties under this section. Notwithstanding ORS 475B.299, the commission may use regulatory specialists, as defined in ORS 471.001, to conduct the inspections and investigations, including inspections and investigations of marijuana grow sites located at a primary residence.

“(7) Notwithstanding ORS 475B.759 and section 17 of this 2018 Act, before making any other distribution from the Oregon Marijuana Account established under ORS 475B.759, the Department of Revenue shall first distribute moneys quarterly from the account to the commission for deposit in the Marijuana Control and Regulation Fund established under ORS 475B.296 for purposes of paying administrative, inspection and investigatory costs incurred by the commission under this section, provided that the amount of distributed moneys does not exceed $1.25 million per quarter. For purposes of estimating the amount of moneys necessary to pay costs incurred under this section, the commission shall establish a formulary based on expected costs for each marijuana grow site, marijuana processing site or medical marijuana dispensary that is tracked under this section. The commission shall provide to the Department of Revenue and the Legislative Fiscal Officer before each quarter the estimated amount of moneys necessary to pay costs expected to be incurred under this section and the formulary.

“(8) When imposing a fee on a person responsible for a marijuana grow site, marijuana processing site or medical marijuana dispensary under ORS 475B.810, 475B.840 or 475B.858, the authority shall impose an additional fee that is reasonably calculated to pay costs incurred under this section other than costs paid pursuant to subsection (7) of this section. As part of the agreement entered into under subsection (1) of this section, the authority shall transfer fee moneys collected pursuant to this subsection to the commission for deposit in the Marijuana Control and Regulation Fund established under ORS 475B.296. Moneys collected pursuant to this subsection and deposited in the Marijuana Control and Regulation Fund are continuously appropriated to the commission for purposes of this section.

“(9) The authority and the commission may adopt rules as necessary to administer this section.

“(10) This section does not apply to a marijuana grow site located at an address where a registry identification cardholder produces marijuana and no more than 12 mature marijuana plants and 24 immature marijuana plants are produced at the address.”.

In line 19, delete “2021,” and insert “2019, 2021 and”.

In line 20, delete “and 2025”.

In line 38, delete “October” and insert “December”.

In line 40, after “revenues” insert “, including unclaimed prizes,“.

In line 42, delete “first” and insert “second”.

In line 44, after “revenues” insert “, including unclaimed prizes,“.

On page 9, line 4, delete “State Lottery”.

In line 5, delete the first “Fund” and insert “Administrative Services Economic Development Fund established in ORS 461.540”.

Delete lines 10 through 37 and insert:

“PROCEEDS FROM LAWSUIT SETTLEMENTS”
“SECTION 20. If the Department of Justice collects proceeds from the settlement of a lawsuit on behalf of a state agency that are not dedicated by the settlement agreement or by law to a specific purpose, the proceeds shall be transferred to the Public Employees Retirement Fund established under ORS 238.660. The Public Employees Retirement Board shall credit the amounts transferred to the account established under section 24 (1) of this 2018 Act.

“SECTION 21. Section 20 of this 2018 Act applies to proceeds from settlement agreements entered into on or before June 30, 2025.

“INTEREST FROM UNCLAIMED PROPERTY

“SECTION 22. (1) On January 1 of each year, the Department of State Lands shall transfer from the Common School Fund Account to the Public Employees Retirement Fund established under ORS 238.660 all or part of the interest earned in the previous calendar year from the cumulative unclaimed property deposited in the Common School Fund Account under ORS 98.386 to which the state has not taken title, as described in subsection (2) of this section.

“(2) The amount made available under subsection (1) of this section may not exceed an amount equal to the proceeds from unclaimed property received by the department in the previous calendar year, minus:

“(a) The amount paid for unclaimed property claims under ORS 98.396 in the previous calendar year;

“(b) The department's investment expenses related to the Common School Fund for the previous calendar year; and

“(c) Operating expenses that the department is entitled to recover for the previous calendar year.

“(3) The Public Employees Retirement Board shall credit the amounts transferred under this section to the account established under section 24 (1) of this 2018 Act.

“SECTION 23. Section 22 of this 2018 Act is repealed on January 2, 2027.”.

In line 44, after “17” insert “, 18”.

In line 45, after “17,” insert “18,”.