

Senate Bill 184

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Oregon Department of Administrative Services to transfer two percent of gross revenues derived from sales of distilled liquors by bottle to Mental Health Alcoholism and Drug Services Account. Provides that transferred moneys may be used only for establishment, operation and maintenance of programs for alcohol and drug abuse prevention, alcohol and drug abuse early intervention and treatment services and drug courts.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to revenues derived from sales of alcoholic beverages; amending ORS 430.380 and 471.810;
3 and declaring an emergency.

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

5 **SECTION 1.** ORS 471.810 is amended to read:

6 471.810. *[(1) At the end of each month, the Oregon Liquor Control Commission shall certify the*
7 *amount of moneys available for distribution in the Oregon Liquor Control Commission Account, and*
8 *after withholding such moneys as it may deem necessary to pay its outstanding obligations shall within*
9 *35 days of the month for which a distribution is made direct the State Treasurer to pay the amounts*
10 *due, upon warrants drawn by the Oregon Department of Administrative Services, as follows:]*

11 **(1) At the end of each month, the Oregon Liquor Control Commission shall certify the**
12 **amount of funds available in the Oregon Liquor Control Commission Account. The commis-**
13 **sion shall then withhold the amounts the commission determines to be necessary to pay the**
14 **commission's outstanding obligations. After withholding those amounts, the commission**
15 **shall cause to be transferred from the available funds to the Mental Health Alcoholism and**
16 **Drug Services Account an amount that is equal to two percent of the gross revenues derived**
17 **from the sales of distilled liquors in the stores operated by the commission under ORS**
18 **471.750. After making the transfer, the commission shall cause to be distributed the re-**
19 **maining available funds as follows:**

20 (a) Fifty-six percent^{[, or the amount remaining after the distribution under subsection (4) of this}
21 ^{section, credited to]} **shall be deposited in** the General Fund **and be** available for general govern-
22 mental purposes ^{[wherein it].} **Amounts deposited in the General Fund under this paragraph**
23 **shall be considered [as] revenue received** during the quarter immediately preceding ^[receipt;] **the**
24 **deposit.**

25 (b) Twenty percent **shall be distributed** to the cities of the state in such shares as the popu-
26 lation of each city bears to the population of the cities of the state, as determined by the State
27 Board of Higher Education last preceding such apportionment, under ORS 190.510 to 190.610[;].

28 (c) Ten percent **shall be distributed** to counties in such shares as their respective populations

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 bear to the total population of the state, as estimated from time to time by the State Board of
2 Higher Education[; and].

3 (d) Fourteen percent **shall be distributed** to the cities of the state [*to be distributed*] as provided
4 in ORS 221.770 [*and this section*].

5 (2) The commission shall direct the Oregon Department of Administrative Services to transfer
6 50 percent of the revenues from the taxes imposed by ORS 473.030, 473.035 and 473.040 to the
7 Mental Health Alcoholism and Drug Services Account in the General Fund to be paid monthly as
8 provided in ORS 430.380.

9 (3) If the amount of revenues received from the taxes imposed by ORS 473.030 for the preceding
10 month were reduced as a result of credits claimed under ORS 473.047, the commission shall compute
11 the difference between the amounts paid or transferred as described in subsections (1)(b), (c) and (d)
12 and (2) of this section and the amounts that would have been paid or transferred under subsections
13 (1)(b), (c) and (d) and (2) of this section if no credits had been claimed. The commission shall direct
14 the Oregon Department of Administrative Services to pay or transfer amounts equal to the differ-
15 ences computed for subsections (1)(b), (c) and (d) and (2) of this section from the General Fund to
16 the recipients or accounts described in subsections (1)(b), (c) and (d) and (2) of this section.

17 [*(4) Notwithstanding subsection (1) of this section, no city or county shall receive for any fiscal year*
18 *an amount less than the amount distributed to the city or county in accordance with ORS 471.350 (1965*
19 *Replacement Part), 471.810, 473.190 and 473.210 (1965 Replacement Part) during the 1966-1967 fiscal*
20 *year unless the city or county had a decline in population as shown by its census. If the population*
21 *declined, the per capita distribution to the city or county shall be not less than the total per capita*
22 *distribution during the 1966-1967 fiscal year. Any additional funds required to maintain the level of*
23 *distribution under this subsection shall be paid from funds credited under subsection (1)(a) of this*
24 *section.*]

25 (4) **The commission shall make the transfers and distributions required by subsection (1)**
26 **of this section not later than 35 days after the end of the month for which the funds have**
27 **been certified to be available.**

28 **SECTION 2.** ORS 430.380 is amended to read:

29 430.380. (1) There is established in the General Fund of the State Treasury an account to be
30 known as the Mental Health Alcoholism and Drug Services Account. Moneys deposited in the ac-
31 count are continuously appropriated **to the Department of Human Services** for the [*purposes of*]
32 **purpose of implementing** ORS 430.345 to 430.380. Moneys deposited in the account may be invested
33 in the manner prescribed in ORS 293.701 to 293.820.

34 (2) **Except as provided in subsection (3) of this section, moneys in the Mental Health**
35 **Alcoholism and Drug Services Account shall be distributed or set aside each month by the**
36 **Department of Human Services as follows:**

37 (a) Forty percent of the moneys [*in the Mental Health Alcoholism and Drug Services Account*
38 *shall be continuously appropriated*] **shall be distributed** to the counties on the basis of population.
39 The counties [*must*] **may** use the moneys **only** for the establishment, operation and maintenance of
40 alcohol and drug abuse prevention, early intervention and treatment services and for local matching
41 funds under ORS 430.345 to 430.380.

42 [(3)] (b) Forty percent of the moneys shall be [*continuously appropriated to*] **set aside by** the
43 Department of Human Services to be used for state matching funds to counties for alcohol and drug
44 abuse prevention, early intervention and treatment services pursuant to ORS 430.345 to 430.380.

45 [(4)] (c) Twenty percent of the moneys shall be [*continuously appropriated to*] **set aside by** the

1 Department of Human Services to be used for alcohol and drug abuse prevention, early intervention
 2 and treatment services for inmates of correctional and penal institutions and for parolees therefrom
 3 and for probationers as provided pursuant to rules of the department. *[However, prior to expenditure*
 4 *of moneys under this subsection, the department must present its program plans for approval to the*
 5 *appropriate legislative body which is either the Joint Ways and Means Committee during a session of*
 6 *the Legislative Assembly or the Emergency Board during the interim between sessions.]*

7 **(3) All moneys deposited in the Mental Health Alcoholism and Drug Services Account**
 8 **under ORS 471.810 (1) may be used by the Department of Human Services only for the es-**
 9 **tablishment, operation and maintenance of programs for alcohol and drug abuse prevention,**
 10 **alcohol and drug abuse early intervention and treatment services and drug courts.**

11 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**
 12 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
 13 **on its passage.**

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