

Requested by Representative NOSSE

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2976**

1 On page 1 of the printed A-engrossed bill, line 2, after the semicolon in-
2 sert “creating new provisions; amending ORS 182.454 and 471.810;”.

3 Delete page 4 and insert:

4 **“SECTION 7. Moneys received on behalf of the Oregon Spirits Board**
5 **pursuant to ORS 471.810 shall be deposited into the account created**
6 **by the board under ORS 182.470 and are continuously appropriated to**
7 **the board as provided in ORS 182.470, exclusively for use by the board**
8 **in carrying out the provisions of sections 1 to 7 of this 2023 Act.**

9 **“SECTION 8. ORS 471.810 is amended to read:**

10 “471.810. (1) At the end of each month, the Oregon Liquor and Cannabis
11 Commission shall certify the amount of moneys available for distribution in
12 the Oregon Liquor and Cannabis Commission Account and, after withholding
13 such moneys as it may deem necessary to pay its outstanding obligations,
14 shall within 35 days of the month for which a distribution is made direct the
15 State Treasurer to pay the amounts due, upon warrants drawn by the Oregon
16 Department of Administrative Services, as follows:

17 “(a) Fifty-six percent, or the amount remaining after the distribution un-
18 der subsection (4) of this section, credited to the General Fund available for
19 general governmental purposes wherein it shall be considered as revenue
20 during the quarter immediately preceding receipt;

21 “(b) Twenty percent to the cities of the state in such shares as the pop-

1 ulation of each city bears to the population of the cities of the state, as de-
2 termined by Portland State University last preceding such apportionment,
3 under ORS 190.510 to 190.610;

4 “(c) Ten percent to counties in such shares as their respective populations
5 bear to the total population of the state, as estimated from time to time by
6 Portland State University; and

7 “(d) Fourteen percent to the cities of the state to be distributed as pro-
8 vided in ORS 221.770 and this section.

9 “(2) The commission shall direct the Oregon Department of Administra-
10 tive Services to transfer 50 percent of the revenues from the taxes imposed
11 by ORS 473.030 and 473.035 to the Mental Health Alcoholism and Drug Ser-
12 vices Account in the General Fund to be paid monthly as provided in ORS
13 430.380.

14 “(3) If the amount of revenues received from the taxes imposed by ORS
15 473.030 for the preceding month was reduced as a result of credits claimed
16 under ORS 473.047, the commission shall compute the difference between the
17 amounts paid or transferred as described in subsections (1)(b), (c) and (d) and
18 (2) of this section and the amounts that would have been paid or transferred
19 under subsections (1)(b), (c) and (d) and (2) of this section if no credits had
20 been claimed. The commission shall direct the Oregon Department of Ad-
21 ministrative Services to pay or transfer amounts equal to the differences
22 computed for subsections (1)(b), (c) and (d) and (2) of this section from the
23 General Fund to the recipients or accounts described in subsections (1)(b),
24 (c) and (d) and (2) of this section.

25 “(4) Notwithstanding subsection (1) of this section, no city or county shall
26 receive for any fiscal year an amount less than the amount distributed to the
27 city or county in accordance with ORS 471.350 (1965 Replacement Part),
28 471.810, 473.190 and 473.210 (1965 Replacement Part) during the 1966-1967
29 fiscal year unless the city or county had a decline in population as shown
30 by its census. If the population declined, the per capita distribution to the

1 city or county shall be not less than the total per capita distribution during
2 the 1966-1967 fiscal year. Any additional funds required to maintain the level
3 of distribution under this subsection shall be paid from funds credited under
4 subsection (1)(a) of this section.

5 “(5)(a) Notwithstanding subsection (1) of this section, amounts to be dis-
6 tributed from the Oregon Liquor and Cannabis Commission Account that are
7 attributable to a per bottle surcharge imposed by the Oregon Liquor and
8 Cannabis Commission, shall be credited [*to the General Fund.*] **as follows:**

9 **“(A) Subject to paragraph (b) of this subsection, the first \$2,000,000**
10 **collected each fiscal year to the account created by the Oregon Spirits**
11 **Board pursuant to ORS 182.470; and**

12 **“(B) After the credit described in subparagraph (A) of this para-**
13 **graph, the remainder of the amounts described in this paragraph to**
14 **the General Fund.**

15 **“(b) The amount credited to the account created by the board may**
16 **be credited only from moneys collected from a per bottle surcharge**
17 **imposed on distilled spirits manufactured by a distillery licensed under**
18 **ORS 471.230, and shall be adjusted annually by a percentage equal to**
19 **the percentage change in the Consumer Price Index for All Urban**
20 **Consumers, West Region (All Items), as published by the Bureau of**
21 **Labor Statistics of the United States Department of Labor. The com-**
22 **mission may retain from the amount to be credited to the board an**
23 **amount sufficient to cover the costs incurred in collecting a per bottle**
24 **surcharge described in this paragraph.**

25 **“SECTION 9.** ORS 182.454 is amended to read:

26 “182.454. The following semi-independent state agencies are subject to
27 ORS 182.456 to 182.472:

28 “(1) The Appraiser Certification and Licensure Board.

29 “(2) The State Board of Architect Examiners.

30 “(3) The State Board of Examiners for Engineering and Land Surveying.

- 1 “(4) The State Board of Geologist Examiners.
2 “(5) The State Landscape Architect Board.
3 “(6) The Oregon Board of Optometry.
4 “(7) The Oregon Patient Safety Commission.
5 “(8) The Oregon Wine Board.
6 “(9) The State Board of Massage Therapists.
7 “(10) The Oregon Board of Physical Therapy.
8 “(11) The State Landscape Contractors Board.
9 “(12) The Citizens’ Initiative Review Commission.
10 **“(13) The Oregon Spirits Board.**

11 **“SECTION 10. Notwithstanding the term of office specified in sec-**
12 **tion 2 of this 2023 Act, of the members initially appointed to the**
13 **Oregon Spirits Board:**

- 14 **“(1) Three shall serve a term ending January 1, 2026;**
15 **“(2) Three shall serve a term ending January 1, 2027; and**
16 **“(3) Three shall serve a term ending January 1, 2028.**

17 **“SECTION 11. (1) Sections 1 to 7 of this 2023 Act and the amend-**
18 **ments to ORS 182.454 and 471.810 by sections 8 and 9 of this 2023 Act**
19 **become operative on January 1, 2025.**

20 **“(2) The Governor and the Oregon Liquor and Cannabis Commission**
21 **may take any action before the operative date specified in subsection**
22 **(1) of this section that is necessary to enable the Governor and the**
23 **commission to exercise, on and after the operative date specified in**
24 **subsection (1) of this section, all of the duties, functions and powers**
25 **conferred on the Governor and the commission by sections 1 to 7 of**
26 **this 2023 Act and the amendments to ORS 182.454 and 471.810 by**
27 **sections 8 and 9 of this 2023 Act.**

28 **“SECTION 12. This 2023 Act takes effect on the 91st day after the**
29 **date on which the 2023 regular session of the Eighty-second Legislative**
30 **Assembly adjourns sine die.”.**

