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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 462
OREGON RACING COMMISSION

FILED
11/03/2023 12:09 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amends rule 462-220-0080 to provide clear language regarding hub fund requests.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/18/2024 11:30 AM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Karen Parkman
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 01/18/2024
TIME: 11:00 AM - 11:30 AM
OFFICER: Quinn Berry

HEARING LOCATION
ADDRESS: PSOB, 800 NE Oregon St, Portland , OR 97232
SPECIAL INSTRUCTIONS:
This hearing will be available by ZOOM

REMOTE MEETING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 503-853-5927
SPECIAL INSTRUCTIONS:
Meeting ID: 853 3235 6563
Passcode: 0WAXjj

NEED FOR THE RULE(S)

Amendment provides for clear language regarding hub fund requests, use of funds, audits and change of use of funds.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Agency counsel - electronically stored. Available upon request.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

Will not affect racial equity.

FISCAL AND ECONOMIC IMPACT:

No fiscal impact

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

No cost to comply

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved. This amendment provides for improved tracking of agency hub funds by the agency.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

AMEND: 462-220-0080

RULE SUMMARY: Amendment adds clear language regarding the request and use of hub funds.

CHANGES TO RULE:

462-220-0080
Distribution of Receipts from Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs ¶

From the payments made to the Oregon Racing Commission by Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs per ORS 462.725(4)(b), the commission shall:¶
(1) Transfer to the State General Fund 25% of the receipts;¶
(2) Retain 75% in the agency's cash account. Of the retained money, the commission may distribute it for the benefit of the Oregon pari-mutuel racing industry as follows:¶
(a) First, to race meets licensed under ORS 462.057 in the amounts necessary, in the commission's judgment, to allow an appropriate race meet with an appropriate purse level;¶
(b) Second, if there are funds remaining, to any entity in the Oregon pari-mutuel racing industry, after the receipt of a petition submitted to the commission, for purposes that benefit members of the pari-mutuel industry.¶
(3) All requests must be submitted in writing on the official Oregon Racing Commission request form no later than April 1 of each odd numbered year for the following biennium and must include a detailed list of all funds requested, the purpose of the funds and a description of how the funds will benefit racing in Oregon. ¶
(4) All distributions are subject to Oregon Racing Commission (ORC) audits. ¶
(5) Changes to the intent of approved allocations must be resubmitted to the ORC for approval. ¶
(6) All unused distributions are to be returned to the ORC within 120 days after the end of the biennium in which they were requested.¶
(7) The commission, or its staff, will be given unrestricted access, for review and audit, to all records and financial information of the recipient of hub funds, including all account information. This information will be made available to the commission or commission staff, by the recipient, at their location, upon notice from the commission or commission staff, at all reasonable times to the extent such disclosure is not expressly prohibited by law.¶
(8) The commission's decision on the distribution of these funds is final.
Statutory/Other Authority: ORS 462.270(3), 462.725
Statutes/Other Implemented: ORS 462.725