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**SENATE BILL 6615 (Corrected Copy)**

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**State of Washington**

**61st Legislature**

**2010 Regular Session**

**By** Senator Jacobsen

Read first time 01/19/10. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to providing support for parks and recreation;  
2 amending RCW 67.70.010, 67.70.320, and 79A.25.060; reenacting and  
3 amending RCW 67.70.240 and 67.70.340; adding a new section to chapter  
4 67.70 RCW; and adding a new section to chapter 79A.25 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 67.70 RCW  
7 to read as follows:

8 (1) As authorized in RCW 67.70.040(1)(f), the commission must  
9 conduct a club keno monitor game in which the drawing or selection of  
10 winning tickets occurs more frequently than once every twenty-four  
11 hours. The frequency of drawings for a club keno monitor game may not  
12 be less than every four minutes. The authorized online monitor game  
13 may not require interaction between a player and any device or terminal  
14 otherwise prohibited by RCW 67.70.040(1)(a).

15 (2) The club keno monitor game may be provided without a monitor  
16 terminal to any of the lottery's existing lottery sales agents and to  
17 other persons as defined in RCW 67.70.070.

18 (3) The winning numbers or matrix of the club keno monitor game

1 must be displayed as defined in establishments licensed under RCW  
2 66.24.320, 66.24.330, 66.24.420, 66.24.425, 66.24.450, 66.24.452,  
3 66.24.570, or 66.24.590.

4 (4) All revenues received from the sale of club keno monitor game  
5 tickets will be deposited into the state lottery account created by RCW  
6 67.70.230.

7 **Sec. 2.** RCW 67.70.010 and 2002 c 349 s 1 are each amended to read  
8 as follows:

9 For the purposes of this chapter:

10 (1) "Club keno monitor game" means any lottery game in which  
11 results are presented to a player on a television or similar visual  
12 display. A club keno monitor game is not a slot machine or a video  
13 lottery terminal;

14 (2) "Commission" means the state lottery commission established by  
15 this chapter;

16 ((+2)) (3) "Director" means the director of the state lottery  
17 established by this chapter;

18 ((+3)) (4) "Lottery" or "state lottery" means the lottery  
19 established and operated pursuant to this chapter;

20 ((+4)) (5) "Online game" means a lottery game in which a player  
21 pays a fee to a lottery retailer and selects a combination of digits,  
22 numbers, or symbols, type and amount of play, and receives a computer-  
23 generated ticket with those selections, and the lottery separately  
24 draws or selects the winning combination or combinations;

25 ((+5)) (6) "Shared game lottery" means any lottery activity in  
26 which the commission participates under written agreement between the  
27 commission, on behalf of the state, and any other state or states.

28 **Sec. 3.** RCW 67.70.240 and 2009 c 500 s 11 and 2009 c 479 s 44 are  
29 each reenacted and amended to read as follows:

30 The moneys in the state lottery account shall be used only:

31 (1) For the payment of prizes to the holders of winning lottery  
32 tickets or shares;

33 (2) For purposes of making deposits into the reserve account  
34 created by RCW 67.70.250 and into the lottery administrative account  
35 created by RCW 67.70.260;

1 (3) For purposes of making deposits into the education construction  
2 fund created in RCW 43.135.045. On and after July 1, 2004, all  
3 deposits not otherwise obligated under this section shall be placed in  
4 the education construction fund. Moneys in the state lottery account  
5 deposited in the education construction fund are included in "general  
6 state revenues" under RCW 39.42.070;

7 (4) For distribution to a county for the purpose of paying the  
8 principal and interest payments on bonds issued by the county to  
9 construct a baseball stadium, as defined in RCW 82.14.0485, including  
10 reasonably necessary preconstruction costs. Three million dollars  
11 shall be distributed under this subsection during calendar year 1996.  
12 During subsequent years, such distributions shall equal the prior  
13 year's distributions increased by four percent. Distributions under  
14 this subsection shall cease when the bonds issued for the construction  
15 of the baseball stadium are retired, but not more than twenty years  
16 after the tax under RCW 82.14.0485 is first imposed;

17 (5) For distribution to the stadium and exhibition center account,  
18 created in RCW 43.99N.060. Subject to the conditions of RCW  
19 43.99N.070, six million dollars shall be distributed under this  
20 subsection during the calendar year 1998. During subsequent years,  
21 such distribution shall equal the prior year's distributions increased  
22 by four percent. No distribution may be made under this subsection  
23 after December 31, 1999, unless the conditions for issuance of the  
24 bonds under RCW 43.99N.020(2) are met. Distributions under this  
25 subsection shall cease when the bonds are retired, but not later than  
26 December 31, 2020;

27 (6) For distribution of revenue received under the club keno  
28 monitor game created in this act, after payments have been made under  
29 subsection (1) of this section, to the outdoor recreation account in  
30 RCW 79A.25.060;

31 (7) For the purchase and promotion of lottery games and game-  
32 related services; and

33 ~~((+7))~~ (8) For the payment of agent compensation.

34 The office of financial management shall require the allotment of  
35 all expenses paid from the account and shall report to the ways and  
36 means committees of the senate and house of representatives any changes  
37 in the allotments.

1       **Sec. 4.** RCW 67.70.320 and 1987 c 511 s 14 are each amended to read  
2 as follows:

3       (1) The director of financial management shall select a certified  
4 public accountant to verify that:

5       ~~((+1))~~ (a) The manner of selecting the winning tickets or shares  
6 is consistent with this chapter; and

7       ~~((+2))~~ (b) The manner and time of payment of prizes to the holder  
8 of winning tickets or shares is consistent with this chapter. The cost  
9 of these services shall be paid from moneys placed within the lottery  
10 administrative account created in RCW 67.70.260.

11       (2) The requirement for club keno monitor game winning number  
12 verification by a certified public accountant does not apply when  
13 numbers are drawn from a certified random number generator without  
14 human intervention.

15       **Sec. 5.** RCW 67.70.340 and 2009 c 576 s 2 and 2009 c 479 s 45 are  
16 each reenacted and amended to read as follows:

17       (1) The legislature recognizes that creating a shared game lottery  
18 could result in less revenue being raised by the existing state lottery  
19 ticket sales. The legislature further recognizes that the fund most  
20 impacted by this potential event is the education construction account.  
21 Therefore, it is the intent of the legislature to use some of the  
22 proceeds from the shared game lottery to make up the difference that  
23 the potential state lottery revenue loss would have on the education  
24 construction account. The legislature further intends to use some of  
25 the proceeds from the shared game lottery to fund programs and services  
26 related to problem and pathological gambling.

27       (2) The education construction account is expected to receive one  
28 hundred two million dollars annually from state lottery games other  
29 than the shared game lottery. For fiscal year 2003 and thereafter, if  
30 the amount of lottery revenues earmarked for the education construction  
31 account is less than one hundred two million dollars, the commission,  
32 after making the transfer required under subsection (3) of this  
33 section, must transfer sufficient moneys from revenues derived from the  
34 shared game lottery into the education construction account to bring  
35 the total revenue up to one hundred two million dollars.

36       (3)(a) The commission shall transfer, from revenue derived from the  
37 shared game lottery, to the problem gambling account created in RCW

1 43.20A.892, an amount equal to the percentage specified in (b) of this  
2 subsection of net receipts. For purposes of this subsection, "net  
3 receipts" means the difference between (i) revenue received from the  
4 sale of lottery tickets or shares and revenue received from the sale of  
5 shared game lottery tickets or shares; and (ii) the sum of payments  
6 made to winners.

7 (b) In fiscal year 2006, the percentage to be transferred to the  
8 problem gambling account is one-tenth of one percent. In fiscal year  
9 2007 and subsequent fiscal years, the percentage to be transferred to  
10 the problem gambling account is thirteen one-hundredths of one percent.  
11 In fiscal year 2011 and subsequent fiscal years, the percentage to be  
12 transferred to the problem gambling account is twenty one-hundredths of  
13 one percent.

14 (4) The commission shall transfer the remaining net revenues, if  
15 any, derived from the shared game lottery "Powerball" authorized in RCW  
16 67.70.044(1) after the transfers pursuant to this section into the  
17 state general fund for the student achievement program under RCW  
18 28A.505.220.

19 (5) The remaining net revenues, if any, in the shared game lottery  
20 account after the transfers pursuant to this section shall be deposited  
21 into the general fund.

22 **Sec. 6.** RCW 79A.25.060 and 2007 c 241 s 43 are each amended to  
23 read as follows:

24 The outdoor recreation account is created in the state treasury.  
25 Moneys in the account are subject to legislative appropriation. The  
26 board shall administer the account in accordance with chapter 79A.15  
27 RCW and this chapter, and shall hold it separate and apart from all  
28 other money, funds, and accounts of the board.

29 Grants, gifts, or other financial assistance, proceeds received  
30 from public bodies as administrative cost contributions, proceeds from  
31 the club keno monitor game created in section 1 of this act, and moneys  
32 made available to the state of Washington by the federal government for  
33 outdoor recreation, may be deposited into the account.

34 NEW SECTION. **Sec. 7.** A new section is added to chapter 79A.25 RCW  
35 to read as follows:

36 The board shall make statewide grants to state natural resource

1 agencies and local government agencies for parks and recreational  
2 purposes. Moneys deposited to the outdoor recreation account from the  
3 club keno monitor game under section 1 of this act shall be distributed  
4 as follows:

5 (1) The board may use up to three percent of the funds under this  
6 section for the administration of the grant to state natural resource  
7 agencies and local government agencies.

8 (2) Of the remaining funds:

9 (a) Fifty percent for state natural resource agencies to be  
10 distributed as follows:

11 (i) Forty percent to the department of fish and wildlife;

12 (ii) Forty percent to the department of natural resources; and

13 (iii) Twenty percent to the state parks and recreation commission.

14 (b) Fifty percent for local government agencies to be distributed  
15 as follows:

16 (i) Forty-five percent for parks;

17 (ii) Thirty percent for trails;

18 (iii) Twenty-five percent for water access.

19 (3) In distributing these funds, the board shall retain discretion  
20 in order to meet the most pressing needs for state and local parks and  
21 shall not be required to meet the percentages described in subsection  
22 (2) of this section in any one biennium.

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