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**Debbs Potts Oregon State Lottery Commission Building**

500 Airport Road SE  
Salem, OR 97301

## **OREGON STATE LOTTERY COMMISSION MEETING Feb. 18, 2022**

**Lottery Commission:** MardiLyn Saathoff, chair  
Maulin Patel  
Marty Ramirez  
Julie Wilcox

**Director:** Barry Pack

Commissioner Patel called the Feb. 18, 2022, Oregon State Lottery Commission meeting to order. Commissioner Patel stated for the record that the commissioners are attending today's meeting via a web meeting, Chair Saathoff is excused, and a quorum of commissioners is present.

Commissioners present at roll call: Commissioners Patel, Ramirez, and Wilcox.

### **A. PUBLIC COMMENT**

Commissioner Patel stated that members of the public had the opportunity to provide written public comment for this meeting and asked the clerk to read the comment that was received.

No public comment was received.

### **B. COMMISSIONER COMMUNICATIONS**

Presenter: Maulin Patel, commissioner

No communications were shared.

### **C. DIRECTOR'S REPORT**

Presenter: Barry Pack, director

#### **Lottery news**

Director Pack shared that Lottery is participating in the annual State Employees Food Drive this month and looks forward to the creative ways staff will find to support the food drive. Director Pack noted that he will share the results next month.

Lottery is finalizing its Tribal Consultation Policy and preparing to close the loop with Tribal leaders by sharing the policy and highlighting specific areas where Tribal consultation led to additions or edits to the policy. Director Pack commented that the policy is a living document

subject to improvement in the future and feels that this is a great framework for engagement. Director Pack shared that he looks forward to continuing to build upon the work of the past year to strengthen communication and foster trust with Oregon's nine federally recognized Tribes.

Lottery continues to monitor the legislative session for bills that may impact the Lottery. The bill with the highest potential impact for Lottery is likely SB 1503, which allows Lottery to take wagers on certain collegiate sporting events. Amendments to the base bill would prohibit bets on individual player statistics and dedicate all revenue generated from college sports betting to need-based college scholarships for Oregon students. Lottery will continue to monitor the session and provide updates as needed.

**Sales** – Lottery hit a major milestone this month, \$1 billion in revenue for this fiscal year. This marks the earliest point in the fiscal year that Lottery has hit the billion-dollar mark.

- Commissioner Wilcox congratulated the organization on this sales milestone.

Director Pack shared the following product sales information:

- Video Lottery was one percent over current forecast for the past four weeks and has generated \$777 million in revenue this fiscal year.
- Scratch-it sales passed \$100 million for the fiscal year and were seven percent over forecast for the past four weeks.
- Powerball, Mega Millions and Megabucks have over \$75 million in sales during the fiscal year and combined were two percent over forecast for the past month. Recent performance was bolstered by an \$8.9 million Megabucks jackpot in late January.
- Keno has nearly \$70 million in sales this fiscal year and was one percent over forecast during the past four weeks.
- Nearly 40,000 customers have placed wagers since the transition from Scoreboard to Draft Kings in mid-January. Super Bowl saw a record for football sports betting in Oregon with over 250,000 wagers on the game, a 66 percent increase over last year's Super Bowl. Popular prop bets during the Super Bowl included the coin toss winner, MVP winner, jersey number of the first touchdown scorer and the color of the Gatorade that was dumped on the winning coach.

**Winners** – Director Pack reported that Lottery is still waiting to hear from the \$8.9 million Megabucks jackpot winner and shared information about some of the winners this month:

- Prayoon P. of Florence won \$100,000 playing the Crossword Explosion scratch-it
- Margaret W. of Depoe Bay won \$50,000 with the Caribbean Crossword scratch-it
- Robert M. of Portland won \$50,002 playing Win for Life
- Richard M. of Gresham won \$106,140.10 playing Keno
- Matthew V. of Stayton won \$99,367.90 playing Keno

#### **D. MINUTES OF THE PREVIOUS MEETINGS, Exhibit 1**

Presenter: Maulin Patel, commissioner

##### **Minutes of the Jan. 28, 2022, meeting**

The Commission reviewed the Jan. 28, 2022, Oregon State Lottery Commission meeting draft minutes, which were circulated in advance of the meeting. There were no recommended changes.

Commissioner Patel called for a motion.

Commissioner Ramirez moved that the minutes of the Oregon State Lottery Commission meeting held Jan. 28, 2022, be approved as final, as presented today. Commissioner Wilcox seconded the motion. *The motion passed by a 3-0 quorum vote, with Commissioners Patel, Ramirez, and Wilcox voting aye.*

#### **E. FINANCIAL REPORT**

Presenter: Kathy Ortega, chief financial officer

##### **Monthly financial statements, January 2022, Exhibit 2**

Ortega provided an overview of the financial statements and described expenses and variances in the operating statements, services and supplies, and balance sheet.

- Commissioner Patel asked if there will be a budget adjustment for the FY22 PERS charges and Ortega noted that the adjustment will be made during the third quarter budget adjustment period.

Commissioner Patel called for a motion.

Commissioner Wilcox moved that the Oregon State Lottery financial statements for the months ending Jan. 31, 2022, be approved for the record as presented today. Commissioner Ramirez seconded the motion. *The motion passed by a 3-0 quorum vote, with Commissioners Patel, Ramirez, and Wilcox voting aye.*

#### **F. Rulemaking**

Presenter: Kris Skaro, rules and policy analyst

##### **OAR 177-040-0001: General Application Requirements/Alternative Disclosure Process, Exhibit 3**

Skaro reminded the commission that Director Pack adopted a temporary rule change in December to allow tribally owned Video Lottery contract applicants to be eligible for the alternative disclosure process. Without the change, the scope of required personal disclosure for this type of business was unclear and this was a barrier to moving forward with pending retailer applications from tribally owned businesses. Lottery requested consultation with Tribal representatives and received feedback that has been incorporated into the final rule change. Skaro provided an overview of the rulemaking process and noted that Lottery did not receive any public comment related to this rule.

Commissioner Patel called for a motion.

Commissioner Ramirez moved that OAR 177-040-0001(T) be repealed and OAR 177-040-0001 be amended as presented today, to be effective March 1, 2022. Commissioner Wilcox seconded the motion. *The motion passed by a 3-0 quorum vote, with Commissioners Patel, Ramirez, and Wilcox voting aye.*

**OAR 177-085-0025 and OAR 177-085-0035: Powerball rules, Exhibit 4**

Skaro reported that the Multi-State Lottery Association (MUSL) maintains the Powerball Group Rules, which govern the multi-jurisdictional draw game, Powerball. As a member of MUSL, Lottery must ensure its Powerball rules are consistent with applicable MUSL regulations. MUSL recently sent updated rules regarding Powerball grand prizes and Lottery recommends adopting two rule changes to align. The rule changes clarify when a change to the grand prize amount takes effect and addresses how a grand prize is funded in the unlikely event that the normal prize accounts are insufficient to cover the grand prize.

Lottery will continue to review the Powerball Group Rules and identify changes to Lottery rules that are needed to align and then will begin the rulemaking process. Skaro noted that she will report back to the Commission with an update and final proposed rule changes in April.

**G. OTHER BUSINESS**

No other business was presented.

The next monthly commission meeting is scheduled March 25, 2022.

The Oregon State Lottery Commission approved the minutes of the Feb. 18, 2022, Oregon State Lottery Commission meeting on March 25, 2022.

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Alisa Zavala  
Senior Executive Assistant to the Commission  
Lottery Director's Office

Approved by:

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Commissioner MardiLyn Saathoff, Chair  
Oregon State Lottery Commission

OSL Commission meeting exhibits are available at [www.oregonlottery.org/about/how-we-operate/commission-and-director-info/](http://www.oregonlottery.org/about/how-we-operate/commission-and-director-info/).