

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6108**

Chapter 576, Laws of 2009

61st Legislature  
2009 Regular Session

STATE LOTTERY COMMISSION--POWERBALL

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 24, 2009  
YEAS 31 NAYS 15

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House April 21, 2009  
YEAS 60 NAYS 35

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Approved May 19, 2009, 4:11 p.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6108** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

\_\_\_\_\_  
**Secretary**

FILED

May 20, 2009

**Secretary of State  
State of Washington**

---

**ENGROSSED SUBSTITUTE SENATE BILL 6108**

---

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

**State of Washington                      61st Legislature                      2009 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Prentice, Holmquist, and Kohl-Welles)

READ FIRST TIME 03/24/09.

1            AN ACT Relating to allowing the state lottery commission to enter  
2 into an agreement to conduct an additional shared lottery game; and  
3 amending RCW 67.70.044 and 67.70.340.

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

5            **Sec. 1.** RCW 67.70.044 and 2002 c 349 s 2 are each amended to read  
6 as follows:

7            (1) Pursuant to RCW 67.70.040(1)(a), the commission may enter into  
8 the multistate agreement establishing a shared game lottery known as  
9 "The Big Game," that was entered into by party state lotteries in  
10 August 1996 and subsequently amended and a shared game lottery known as  
11 "Powerball."

12            (2) The shared game lottery account is created as a separate  
13 account outside the state treasury. The account is managed,  
14 maintained, and controlled by the commission and consists of all  
15 revenues received from the sale of shared game lottery tickets or  
16 shares, and all other moneys credited or transferred to it from any  
17 other fund or source under law. The account is allotted according to  
18 chapter 43.88 RCW.

1       **Sec. 2.** RCW 67.70.340 and 2005 c 369 s 4 are each amended to read  
2 as follows:

3       (1) The legislature recognizes that creating a shared game lottery  
4 could result in less revenue being raised by the existing state lottery  
5 ticket sales. The legislature further recognizes that the two funds  
6 most impacted by this potential event are the student achievement fund  
7 and the education construction account. Therefore, it is the intent of  
8 the legislature to use some of the proceeds from the shared game  
9 lottery to make up the difference that the potential state lottery  
10 revenue loss would have on the student achievement fund and the  
11 education construction account. The legislature further intends to use  
12 some of the proceeds from the shared game lottery to fund programs and  
13 services related to problem and pathological gambling.

14       (2) The student achievement fund and the education construction  
15 account are expected to collectively receive one hundred two million  
16 dollars annually from state lottery games other than the shared game  
17 lottery. For fiscal year 2003 and thereafter, if the amount of lottery  
18 revenues earmarked for the student achievement fund and the education  
19 construction account is less than one hundred two million dollars, the  
20 commission, after making the transfer required under subsection (3) of  
21 this section, must transfer sufficient moneys from revenues derived  
22 from the shared game lottery into the student achievement fund and the  
23 education construction account to bring the total revenue up to one  
24 hundred two million dollars. The funds transferred from the shared  
25 game lottery account under this subsection must be divided between the  
26 student achievement fund and the education construction account in a  
27 manner consistent with RCW 67.70.240(3).

28       (3)(a) The commission shall transfer, from revenue derived from the  
29 shared game lottery, to the problem gambling account created in RCW  
30 43.20A.892, an amount equal to the percentage specified in (b) of this  
31 subsection of net receipts. For purposes of this subsection, "net  
32 receipts" means the difference between (i) revenue received from the  
33 sale of lottery tickets or shares and revenue received from the sale of  
34 shared game lottery tickets or shares; and (ii) the sum of payments  
35 made to winners.

36       (b) In fiscal year 2006, the percentage to be transferred to the  
37 problem gambling account is one-tenth of one percent. In fiscal year

1 2007 and subsequent fiscal years, the percentage to be transferred to  
2 the problem gambling account is thirteen one-hundredths of one percent.

3 (4) The commission shall transfer the remaining net revenues, if  
4 any, derived from the shared game lottery "Powerball" authorized in  
5 section 1(1) of this act after the transfers pursuant to this section  
6 into the state general fund for the student achievement program under  
7 RCW 28A.505.220.

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

Passed by the Senate April 24, 2009.  
Passed by the House April 21, 2009.  
Approved by the Governor May 19, 2009.  
Filed in Office of Secretary of State May 20, 2009.