

# Arizona State Lottery Commission

	FY 2017 ACTUAL	FY 2018 ESTIMATE	FY 2019 APPROVED
<b>OPERATING BUDGET</b>			
<i>Full Time Equivalent Positions</i>	98.8	98.8	98.8
Personal Services	3,764,600	4,812,000	4,812,000
Employee Related Expenditures	1,507,600	1,798,100	1,752,000
Professional and Outside Services	423,500	386,800	386,800
Travel - In State	190,400	271,600	271,600
Travel - Out of State	10,300	16,800	16,800
Other Operating Expenditures	1,256,200	1,173,200	1,963,200
Equipment	57,800	0	0
<b>OPERATING SUBTOTAL</b>	<b>7,210,400</b>	<b>8,458,500</b>	<b>9,202,400</b>
<b>SPECIAL LINE ITEMS</b>			
Advertising	12,198,800	15,500,000	15,500,000
Charitable Commissions <sup>1/</sup>	1,296,900	1,385,700	1,577,600 <sup>2/</sup>
Instant Tickets <sup>1/</sup>	14,082,800	20,516,700	25,687,500 <sup>3/</sup>
On-Line Vendor Fees <sup>1/</sup>	8,676,700	10,221,400	10,120,100 <sup>4/</sup>
Retailer Commissions <sup>1/</sup>	55,791,100	60,696,300	63,210,600 <sup>5/</sup>
<b>AGENCY TOTAL</b>	<b>99,256,700</b>	<b>116,778,600</b>	<b>125,298,200 <sup>6/</sup></b>
<b>FUND SOURCES</b>			
<u>Other Appropriated Funds</u>			
State Lottery Fund	99,256,700	116,778,600	125,298,200
SUBTOTAL - Other Appropriated Funds	99,256,700	116,778,600	125,298,200
<b>SUBTOTAL - Appropriated Funds</b>	<b>99,256,700</b>	<b>116,778,600</b>	<b>125,298,200</b>
Other Non-Appropriated Funds	559,491,400	584,638,500	610,328,400
<b>TOTAL - ALL SOURCES</b>	<b>658,748,100</b>	<b>701,417,100</b>	<b>735,626,600</b>

**AGENCY DESCRIPTION** — The Arizona Lottery is responsible for administering sanctioned games of chance. In addition to Arizona-specific games, the state also participates in multi-jurisdictional Powerball and Mega-Millions on-line games.

## Operating Budget

The budget includes \$9,202,400 and 98.8 FTE Positions from the State Lottery Fund in FY 2019 for the operating budget. FY 2019 adjustments are as follows:

### IT Licensing and Maintenance

The budget includes an increase of \$790,000 from the State Lottery Fund in FY 2019 for ongoing licensing and

maintenance costs associated with the commission's new IT system.

### Statewide Adjustments

The budget includes a decrease of \$(46,100) from the State Lottery Fund in FY 2019 for statewide adjustments. (Please see the Agency Detail and Allocations section.)

- <sup>1/</sup> Charitable Commissions, Instant Tickets, On-Line Vendor Fees, and Retailer Commissions are appropriated as a percentage of sales. Therefore, the amounts shown for those line items are estimates only.
- <sup>2/</sup> An amount equal to 20% of Tab Ticket sales is appropriated for payment of sales commissions to charitable organizations. This amount is currently estimated to be \$1,577,600 in FY 2019. (General Appropriation Act footnote)
- <sup>3/</sup> An amount equal to 3.6% of actual instant ticket sales is appropriated for the printing of instant tickets or for contractual obligations concerning instant ticket distribution. This amount is currently estimated to be \$25,687,500 in FY 2019. (General Appropriation Act footnote)
- <sup>4/</sup> An amount equal to a percentage of actual on-line game sales as determined by contract is appropriated for payment of on-line vendor fees. This amount is currently estimated to be \$10,120,100, or 4.256% of actual on-line ticket sales in FY 2019. (General Appropriation Act footnote)
- <sup>5/</sup> An amount equal to 6.5% of gross lottery game sales, minus Charitable Tab Tickets, is appropriated for payment of sales commissions to ticket retailers. An additional amount not to exceed 0.5% of gross lottery game sales is appropriated for payment of sales commissions to ticket retailers. The combined amount is currently estimated to be 6.7% of total ticket sales, or \$63,210,600 in FY 2019. (General Appropriation Act footnote)
- <sup>6/</sup> General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

## **Advertising**

The budget includes \$15,500,000 from the State Lottery Fund in FY 2019 for Advertising. This amount is unchanged from FY 2018.

Monies in this line item are used to promote and market Lottery games.

## **Charitable Commissions**

The budget includes \$1,577,600 from the State Lottery Fund in FY 2019 for Charitable Commissions. FY 2019 adjustments are as follows:

### **Tab Ticket Increase**

The budget includes an increase of \$191,900 from the State Lottery Fund in FY 2019 to realign spending with projected revenues. *(See Table 1 for more information.)*

Monies in this line item are used to compensate charities for selling lottery 'Tab Tickets.' Tab Tickets are games sold exclusively by charitable organizations, who receive a 20% commission for selling the games. The displayed amount is derived by applying the approved percentage, 20%, to the forecasted Tab Ticket sales. A.R.S. § 5-555 also allows the department to collect up to 35% of total Tab Ticket sales (which includes the 20% commission) for their operating budget, with the remainder distributed as prizes.

## **Instant Tickets**

The budget includes \$25,687,500 from the State Lottery Fund in FY 2019 for Instant Tickets. FY 2019 adjustments are as follows:

### **Instant Ticket Sales Increase**

The budget includes an increase of \$1,246,400 from the State Lottery Fund in FY 2019 for Instant Tickets due to higher projected sales. *(See Table 1 for more information.)*

### **Instant Ticket Vendor Rate Increase**

The budget includes an increase of \$3,924,400 from the State Lottery Fund in FY 2019 for an increased instant ticket vendor rate.

Monies in this line item are used to pay for instant ticket printing and distribution costs. The estimated appropriation was lowered from 3.6% to 3.05% in FY 2018. This figure reflects a blended rate across different services. The appropriation returned to 3.6% in FY 2019. The amount displayed is derived by applying the new

approved spending percentage to the forecasted sales total.

## **On-Line Vendor Fees**

The budget includes \$10,120,100 from the State Lottery Fund in FY 2019 for On-Line Vendor Fees. FY 2019 adjustments are as follows:

### **On-Line Sales Decrease**

The budget includes a decrease of \$(101,300) from the State Lottery Fund in FY 2019 for On-Line Vendor Fees due to lower projected sales. *(See Table 1 for more information.)*

Monies in this line item are used to pay the vendor that operates the on-line game computer system. The actual appropriation is equal to a percentage of on-line ticket sales specified in the Lottery's contractual agreement with the vendor, which is 4.256% as of September 2016. Under the previous contract agreement the percentage was 3.7%.

## **Retailer Commissions**

The budget includes \$63,210,600 from the State Lottery Fund in FY 2019 for Retailer Commissions. FY 2019 adjustments are as follows:

### **Retailer Commissions Increase**

The budget includes an increase of \$2,514,300 from the State Lottery Fund in FY 2019 for Retailer Commissions due to higher projected sales. *(See Table 1 for more information.)*

Monies in this line item are used to compensate retailers for selling lottery tickets. A.R.S. § 5-555 specifies that compensation to retailers will be at least 5.5% but not more than 8% of non-charitable Tab Ticket sales. The actual appropriation is equal to 6.5% of these sales. Pursuant to statute, an additional 0.5% of total non-charitable Tab Ticket sales may be paid to retailers based on their attainment of specified sales and marketing objectives. Since 40% of retailers are estimated to meet these objectives, this would result in an additional 0.2% in retailer commissions and a total retail commission rate of 6.7%. The displayed amount is derived by applying the approved percentage to the forecasted sales total.

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## Other Issues

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### Lottery Forecast and Distributions

The budget assumes a 7.1% increase in overall Lottery ticket sales in FY 2018, followed by a 4.2% increase in FY 2019. For FY 2018 and FY 2019, the budget assumes Lottery ticket sales of \$912,843,600 and \$951,329,600, respectively.

The FY 2018 forecasted sales and Special Line Items expenditures included are higher than the amounts included as part of the *FY 2018 Appropriations Report*. This increase is due to a revised FY 2018 sales forecast. These revised amounts are estimates based on the current sales forecast and the special line item percentages included in the FY 2018 General Appropriation Act footnotes. The actual FY 2018 expenditures will be determined by the actual Lottery ticket sales during FY 2018.

### Sources and Uses of Lottery Profit Distribution

Table 1 shows the sources of forecasted Lottery profits by revenue stream and illustrates the actual distributions to fund beneficiaries for FY 2017 and the JLBC Staff projected distributions for FY 2018 and FY 2019. A brief description of each beneficiary follows in the order that they receive Lottery-generated revenue in accordance with A.R.S. § 5-534 and 5-572.

#### State Lottery Revenue Bond Debt Service Fund

Laws 2010, 6<sup>th</sup> Special Session, Chapter 4 authorized the Arizona Department of Administration (ADOA) to issue a 20-year, \$450,000,000 Lottery revenue bond by December 31, 2010 to be deposited into the General Fund. The payments are made from Lottery revenues that would have otherwise been deposited into the General Fund. The principal and interest payments in FY 2018 and FY 2019 are expected to be \$37,500,800 and \$37,502,900, respectively. Chapter 4 requires the first Lottery proceeds to be distributed to the State Lottery Revenue Bond Debt Service Fund.

#### Maricopa County Mass Transit

The projected annual distribution of Powerball proceeds to the Maricopa Public Transportation Fund is \$11,529,000 in each FY 2018 and FY 2019.

Laws 1993, 6<sup>th</sup> Special Session, Chapter 1 allocated not less than 31.5% of multi-state Powerball revenues to public transportation programs, otherwise known as Local Transportation Assistance Fund (LTAF) II. This allocation

was capped at \$18,000,000 and was contingent upon the General Fund receiving \$45,000,000 in Lottery revenues. Laws 2010, 7<sup>th</sup> Special Session, Chapter 12 redirected these monies to the General Fund. In September 2011, the U.S. District Court in the case of *Paisley v. Darwin* ruled that the Arizona Legislature must restore the distribution of mass transit monies to Maricopa County because the distribution was part of the state implementation plan to ensure compliance with the Clean Air Act. As a result, the state must calculate Maricopa County's share of 31.5% of statewide Powerball proceeds and distribute those monies to the county.

#### General Fund - Part 1

The statutory distribution requires the General Fund to receive up to \$84,150,000. The General Fund - Part 2 would receive up to an additional \$15,490,000 (for a total of \$99,640,000) after the statutory funding obligations have been met through the Homeless Shelters distribution. After all other statutory obligations have been met, the General Fund - Part 3 would receive all remaining revenues.

The profit distributions in FY 2018 and FY 2019 are forecasted to fulfill requirements for General Fund - Part 1 and Part 2. The Lottery revenue bond payments of \$37,500,800 in FY 2018 and \$37,502,900 in FY 2019 count towards the \$84,150,000 General Fund - Part 1 requirement.

#### Heritage Fund

Statute caps annual distributions to the Arizona Game and Fish Commission's Heritage Fund at \$10,000,000. The funds are used to promote wildlife habitat and education programs and to rehabilitate historic buildings. In FY 2018 and FY 2019, the fund is projected to receive its entire allocation.

#### Health and Welfare Programs

Statute requires annual inflation adjustments for the Health and Welfare distribution. The revised allocation cap is \$21,002,600 in FY 2018 and \$21,308,000 in FY 2019. These amounts are distributed among the following agencies:

- 29.4% to the Department of Child Safety for the Healthy Families program.
- 23.5% to the Arizona Board of Regents (ABOR) for the Arizona Health Education Center program.
- 17.6% to the Department of Health Services (DHS) for teenage pregnancy prevention.
- 11.8% to DHS for Disease Control Research.
- 11.8% to DHS for the Health Start program.
- 5.9% to DHS for the Women, Infants and Children food program.

Health and Welfare Programs are expected to receive their entire allocation in both FY 2018 and FY 2019.

#### Homeless Shelters

Under the statutory distribution, DES would receive up to \$1,000,000 for Homeless Shelters. The department shall use the funding to distribute grants to nonprofit organizations, including faith based organizations, for homeless emergency and transitional shelters and related support services. The fund is estimated to receive its full allocation in both FY 2018 and FY 2019.

#### General Fund - Part 2

As noted above, the General Fund would receive up to an additional \$15,490,000 after all prior allocations have been met. In FY 2018 and FY 2019, the General Fund is estimated to receive its entire allocation of \$15,490,000.

#### Arizona Competes Fund

Statute caps annual distributions to the Arizona Competes Fund at \$3,500,000. Allotments to this fund are used for administering grants to qualifying businesses for the purpose of attracting, retaining, and expanding business within the state. This fund is estimated to receive its full allocation in both FY 2018 and FY 2019.

#### University Capital Improvement (UCI) Fund

This fund serves as the source for up to 80% of the annual debt service associated with \$800,000,000 of University Capital construction Stimulus Plan for Economic and Educational Development (SPEED) bonds. This fund received \$39,927,000 in FY 2017. The UCI Fund is expected to require \$39,915,800 in FY 2018 and \$39,907,400 in FY 2019 to make the expected 80% level of debt service payments. The Universities do not plan to issue any additional Lottery SPEED bonds in FY 2019 above the \$668,710,000 of bonds that have already been or will be issued by the end of FY 2018. Once the full \$800,000,000 has been issued, debt service payments could total \$41,632,900, depending on assumptions of repayment lengths and interest rates. *(Please see the FY 2019 Arizona Board of Regents Capital Outlay section for more details.)*

#### General Fund - Part 3

The General Fund receives all remaining revenues after all statutory funding obligations have been met. These payments to the General Fund are estimated to equal \$20,729,000 in FY 2018 and \$28,195,900 in FY 2019. Total General Fund distributions, net of bond payments, are therefore estimated to be \$82,868,200 in FY 2018 and \$90,333,000 in FY 2019.

Table 1

**Forecast of Lottery Revenue Distribution**  
(\$ in Millions)

<u>Sales</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Instant Sales	\$640.5	\$672.7	\$713.5
On-Line Sales	<u>211.5</u>	<u>240.1</u>	<u>237.8</u>
Total Sales	\$852.0	\$912.8	\$951.3
<i>Less:</i>			
Operating Budget <sup>1/</sup>	\$ 99.3	\$ 116.8	\$ 125.3
Gaming Distribution	0.3	0.3	0.3
ICACF/VREF Sales Transfer <sup>2/</sup>	0.3	0.3	0.3
APF Transfer <sup>3/</sup>	0.0	3.5	0.0
Prizes <sup>4/</sup>	<u>559.5</u>	<u>584.6</u>	<u>610.3</u>
<b>Net Profit <sup>5/</sup></b>	<b>\$192.6</b>	<b>\$207.3</b>	<b>\$210.4</b>
<b>Profit Transfers <sup>6/</sup></b>			
Debt Service Fund	\$ 37.5	\$ 37.5	\$ 37.5
Maricopa County Mass Transit <sup>7/</sup>	11.5	11.5	11.5
General Fund - Part 1 <sup>8/9/</sup>	46.7	46.7	46.7
Heritage	10.0	10.0	10.0
Health and Welfare Programs	20.7	21.0	21.3
Homeless Shelters	1.0	1.0	1.0
General Fund - Part 2 <sup>8/9/</sup>	15.5	15.5	15.5
Arizona Commerce Authority	3.5	3.5	3.5
University Capital	39.9	39.9	39.9
General Fund - Part 3 <sup>8/9/</sup>	<u>6.3</u>	<u>20.7</u>	<u>28.2</u>
<b>Total Transfer</b>	<b>\$192.6</b>	<b>\$207.3</b>	<b>\$215.1</b>

<sup>1/</sup> Of this amount, an estimated \$1,385,700 in FY 2018 and an estimated \$1,577,600 in FY 2019 will be distributed as commissions to charities that sell lottery Tab Tickets.

<sup>2/</sup> A.R.S. § 5-554H allows the commission to sell tab tickets from vending machine in age-restricted areas. Profits from these sales are distributed to the Internet Crimes Against Children Enforcement Fund (ICACF) and the Victims' Rights Enforcement Fund (VREF), respectively. The ICAC Fund receives up to \$900,000 and the VREF receives up to \$100,000. If net profits from age-restricted tab tickets are less than \$1.0 million, then the difference will be paid to ICACF and VREF from unclaimed prize monies in the State Lottery Fund. In FY 2017, \$298,500 was distributed to the ICACF/VREF from the sale of tab tickets. An estimated \$313,400 and \$322,800 will be distributed in FY 2018 and FY 2019, respectively. (See Footnote 6.)

<sup>3/</sup> The General Appropriation Act transfers \$3,497,400 from the State Lottery Fund to the Automation Projects Fund in FY 2018 for the cost to replace the commission's IT system.

<sup>4/</sup> Prizes are estimated by subtracting net profit, operating budget expenditures, and the Department of Gaming transfer from total Lottery sales.

<sup>5/</sup> To derive the profit transfer amounts, the historical rate of return for each game was applied to the current budget forecast. The total rate of return on all games in FY 2017 was 22.68%. The estimated total profit margin is 22.78% in FY 2018 and 22.67% in FY 2019.

<sup>6/</sup> In addition to these listed transfers, the following monies are distributed:

- 30% of unclaimed prizes to the Court Appointed Special Advocates program.
- 15% of unclaimed prizes, not to exceed \$250,000 to the Tribal College Dual Enrollment Program Fund (This distribution was \$160,000 in FY 2016, but was increased pursuant to Laws 2016, Chapter 124).
- An estimated \$686,600 in FY 2018 and \$677,200 in FY 2019 of unclaimed prizes to ICACF and VREF.

<sup>7/</sup> As a result of a federal court order, Maricopa County's share of Local Transportation Assistance Fund II monies was reinstated starting September 2011. (See Other Issues section for more information.)

<sup>8/</sup> Excluding fund transfers, distributions to the General Fund were reported by the Lottery Commission to be \$68,497,000 in FY 2017. This amount reflects profits only related to FY 2017 sales. Due to the timing of Lottery profit transfers from prior year sales, however, the actual FY 2017 General Fund distribution amount was \$78,690,400.

<sup>9/</sup> Excluding fund transfers, distributions to the General Fund are estimated to be \$82,868,200 in FY 2018 and \$90,333,000 in FY 2019.