

ONE HUNDRED FOURTH LEGISLATURE

SECOND SESSION

**LEGISLATIVE RESOLUTION 380CA**

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Bloomfield, 17.

Read first time January 06, 2016

Committee:

1 THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA,  
2 SECOND SESSION, RESOLVE THAT:

3 Section 1. At the general election in November 2016 the following  
4 proposed amendment to the Constitution of Nebraska shall be submitted to  
5 the electors of the State of Nebraska for approval or rejection:

6 To amend Article III, section 24:

7 III-24 (1) Except as provided in this section, the Legislature shall  
8 not authorize any game of chance or any lottery or gift enterprise when  
9 the consideration for a chance to participate involves the payment of  
10 money for the purchase of property, services, or a chance or admission  
11 ticket or requires an expenditure of substantial effort or time.

12 (2) The Legislature may authorize and regulate a state lottery  
13 pursuant to subsection (3) of this section and other lotteries, raffles,  
14 and gift enterprises which are intended solely as business promotions or  
15 the proceeds of which are to be used solely for charitable or community  
16 betterment purposes without profit to the promoter of such lotteries,  
17 raffles, or gift enterprises.

18 (3)(a) The Legislature may establish a lottery to be operated and  
19 regulated by the State of Nebraska. The proceeds of the lottery shall be  
20 appropriated by the Legislature for the costs of establishing and  
21 maintaining the lottery and for the following purposes, as directed by  
22 the Legislature:

23 (i) The first five hundred thousand dollars after the payment of

1 prizes and operating expenses shall be transferred to the Compulsive  
2 Gamblers Assistance Fund;

3 (ii) Twenty-six ~~Forty-four~~ and one-half percent of the money  
4 remaining after the payment of prizes and operating expenses and the  
5 initial transfer to the Compulsive Gamblers Assistance Fund shall be  
6 transferred to the Nebraska Environmental Trust Fund to be used as  
7 provided in the Nebraska Environmental Trust Act;

8 (iii) Sixty-five ~~Forty-four~~ ~~and one-half~~ percent of the money  
9 remaining after the payment of prizes and operating expenses and the  
10 initial transfer to the Compulsive Gamblers Assistance Fund shall be used  
11 for education as the Legislature may direct;

12 (iv) Seven and one-half ~~Ten~~ percent of the money remaining after the  
13 payment of prizes and operating expenses and the initial transfer to the  
14 Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska  
15 State Fair Board if the most populous city within the county in which the  
16 fair is located provides matching funds equivalent to ten percent of the  
17 funds available for transfer. Such matching funds may be obtained from  
18 the city and any other private or public entity, except that no portion  
19 of such matching funds shall be provided by the state. If the Nebraska  
20 State Fair ceases operations, seven and one-half ~~ten~~ percent of the money  
21 remaining after the payment of prizes and operating expenses and the  
22 initial transfer to the Compulsive Gamblers Assistance Fund shall be  
23 transferred to the General Fund; and

24 (v) One percent of the money remaining after the payment of prizes  
25 and operating expenses and the initial transfer to the Compulsive  
26 Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers  
27 Assistance Fund.

28 (b) No lottery game shall be conducted as part of the lottery unless  
29 the type of game has been approved by a majority of the members of the  
30 Legislature.

31 (4) Nothing in this section shall be construed to prohibit (a) the

1 enactment of laws providing for the licensing and regulation of wagering  
2 on the results of horseraces, wherever run, either within or outside of  
3 the state, by the parimutuel method, when such wagering is conducted by  
4 licensees within a licensed racetrack enclosure or (b) the enactment of  
5 laws providing for the licensing and regulation of bingo games conducted  
6 by nonprofit associations which have been in existence for a period of  
7 five years immediately preceding the application for license, except that  
8 bingo games cannot be conducted by agents or lessees of such associations  
9 on a percentage basis.

10       Sec. 2. The proposed amendment shall be submitted to the electors  
11 in the manner prescribed by the Constitution of Nebraska, Article XVI,  
12 section 1, with the following ballot language:

13       A constitutional amendment to change the distribution of state  
14 lottery proceeds.

15       For

16       Against.