

E & R AMENDMENTS TO LR 209CA

1           1.     Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           "Section 1. At the general election in November 2004 the  
4 following proposed amendment to the Constitution of Nebraska shall  
5 be submitted to the electors of the State of Nebraska for approval  
6 or rejection:

7           To amend Article III, section 24:

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

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

21           (3) (a) The Legislature may establish a lottery to be  
22 operated and regulated by the State of Nebraska. The proceeds of  
23 the lottery shall be appropriated by the Legislature for the costs  
24 of establishing and maintaining the lottery and for ~~other~~ the

1 following purposes, as directed by the Legislature:

2 (i) The first five hundred thousand dollars after the  
3 payment of prizes and operating expenses shall be transferred to  
4 the Compulsive Gamblers Assistance Fund;

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

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

14 (iv) Ten percent of the money remaining after the payment  
15 of prizes and operating expenses and the initial transfer to the  
16 Compulsive Gamblers Assistance Fund shall be transferred to the  
17 Nebraska State Fair Board. If the Nebraska State Fair ceases  
18 operations, ten percent of the money remaining after the payment of  
19 prizes and operating expenses and the initial transfer to the  
20 Compulsive Gamblers Assistance Fund shall be transferred to the  
21 General Fund; and

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

26 (b) No lottery game shall be conducted as part of the  
27 lottery unless the type of game has been approved by a majority of

1 the members of the Legislature.

2 (4) Nothing in this section shall be construed to  
3 prohibit (a) the enactment of laws providing for the licensing and  
4 regulation of wagering on the results of horseraces, wherever run,  
5 either within or outside of the state, by the parimutuel method,  
6 when such wagering is conducted by licensees within a licensed  
7 racetrack enclosure or (b) the enactment of laws providing for the  
8 licensing and regulation of bingo games conducted by nonprofit  
9 associations which have been in existence for a period of five  
10 years immediately preceding the application for license, except  
11 that bingo games cannot be conducted by agents or lessees of such  
12 associations on a percentage basis."

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

16 "A constitutional amendment to require the proceeds of  
17 the lottery operated and regulated by the State of  
18 Nebraska to be appropriated by the Legislature for the  
19 costs of the lottery, the Nebraska Environmental Trust  
20 Fund, education, the Nebraska State Fair Board, and the  
21 Compulsive Gamblers Assistance Fund.

22 For  
23 Against".".