

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 189

FINAL READING

Introduced by Pankonin, 2.

Read first time January 12, 2009

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Compulsive Gamblers Assistance Fund;
2 to amend sections 71-816 and 71-817, Revised Statutes
3 Cumulative Supplement, 2008; to change terminology
4 relating to problem gambling services; and to repeal the
5 original sections.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-816, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 71-816 (1) The Legislature finds that the main sources
4 of funding for the Compulsive Gamblers Assistance Fund are the
5 Charitable Gaming Operations Fund as provided in section 9-1,101
6 and the State Lottery Operation Trust Fund as provided in section
7 9-812 and Article III, section 24, of the Constitution of Nebraska.
8 It is the intent of the Legislature that the Compulsive Gamblers
9 Assistance Fund be used primarily for counseling and treatment
10 services for problem gamblers and their families who are residents
11 of Nebraska.

12 (2) The State Committee on Problem Gambling is created.
13 Members of the committee shall have a demonstrated interest and
14 commitment and specialized knowledge, experience, or expertise
15 relating to ~~the provision of~~ problem gambling and ~~addiction~~
16 ~~services~~ in the State of Nebraska. The committee shall consist
17 of twelve members appointed by the Governor and shall include at
18 least three consumers of problem gambling ~~or addiction~~ services.
19 The committee shall appoint one of its members as chairperson
20 of the committee and other officers as it deems appropriate. The
21 committee shall conduct regular meetings and shall meet upon the
22 call of the chairperson or a majority of its members to conduct its
23 official business.

24 (3) The committee shall develop and recommend to
25 the division guidelines and standards for the distribution and

1 disbursement of money in the Compulsive Gamblers Assistance
2 Fund. Such guidelines and standards shall be based on nationally
3 recognized standards for ~~compulsive~~ problem gamblers assistance
4 programs.

5 (4) In addition, the committee shall develop
6 recommendations regarding (a) the evaluation and approval
7 process for provider applications and contracts for treatment
8 funding from the Compulsive Gamblers Assistance Fund, (b) the
9 review and use of evaluation data, (c) the use and expenditure
10 of funds for education regarding problem gambling and prevention
11 of problem gambling, and (d) the creation and implementation of
12 outreach and educational programs regarding problem gambling for
13 Nebraska residents. The committee may engage in other activities it
14 finds necessary to carry out its duties under this section.

15 (5) Based on the recommendations of the committee, the
16 division shall adopt guidelines and standards for the distribution
17 and disbursement of money in the fund and for administration of
18 problem gambling and ~~addiction~~ services in Nebraska.

19 (6) The division and the committee shall jointly submit
20 a report within sixty days after the end of each fiscal year
21 to the Legislature and the Governor that provides details of the
22 administration of services and distribution of funds.

23 Sec. 2. Section 71-817, Revised Statutes Cumulative
24 Supplement, 2008, is amended to read:

25 71-817 The Compulsive Gamblers Assistance Fund is

1 created. The fund shall include revenue transferred from the
2 State Lottery Operation Trust Fund under section 9-812 and the
3 Charitable Gaming Operations Fund under section 9-1,101 and any
4 other revenue received by the division for credit to the fund
5 from any other public or private source, including, but not
6 limited to, appropriations, grants, donations, gifts, devises,
7 bequests, fees, or reimbursements. The division shall administer
8 the fund for the treatment of problem gamblers as recommended by
9 the State Committee on Problem Gambling established under section
10 71-816 and shall spend no more than ten percent of the money
11 appropriated to the fund for administrative costs. The Director
12 of Administrative Services shall draw warrants upon the Compulsive
13 Gamblers Assistance Fund upon the presentation of proper vouchers
14 by the division. Money from the Compulsive Gamblers Assistance Fund
15 shall be used exclusively for the purpose of providing assistance
16 to agencies, groups, organizations, and individuals that provide
17 education, assistance, and counseling to individuals and families
18 experiencing difficulty as a result of problem gambling, to promote
19 the awareness of problem gamblers assistance programs, and to
20 pay the costs and expenses of the division and the committee
21 with regard to problem gambling. The division shall not provide
22 any direct services to problem gamblers or their families. Funds
23 appropriated from the Compulsive Gamblers Assistance Fund shall not
24 be granted or loaned to or administered by any regional behavioral
25 health authority unless the authority is a direct provider of

1 a problem gamblers assistance program. Any money in the fund
2 available for investment shall be invested by the state investment
3 officer pursuant to the Nebraska Capital Expansion Act and the
4 Nebraska State Funds Investment Act.

5 Sec. 3. Original sections 71-816 and 71-817, Revised
6 Statutes Cumulative Supplement, 2008, are repealed.