

AMENDMENTS TO LB 575

(Amendments to E & R amendments, ER99)

Introduced by Mello

1 1. Insert the following new sections:

2 Sec. 7. Section 9-812, Revised Statutes Cumulative
3 Supplement, 2010, as amended by section 1, Legislative Bill 333,
4 One Hundred Second Legislature, First Session, 2011, is amended to
5 read:

6 9-812 (1) All money received from the operation of
7 lottery games conducted pursuant to the State Lottery Act in
8 Nebraska shall be credited to the State Lottery Operation Trust
9 Fund, which fund is hereby created. All payments of the costs
10 of establishing and maintaining the lottery games shall be made
11 from the State Lottery Operation Cash Fund. In accordance with
12 legislative appropriations, money for payments for expenses of the
13 division shall be transferred from the State Lottery Operation
14 Trust Fund to the State Lottery Operation Cash Fund, which fund
15 is hereby created. All money necessary for the payment of lottery
16 prizes shall be transferred from the State Lottery Operation Trust
17 Fund to the State Lottery Prize Trust Fund, which fund is hereby
18 created. The amount used for the payment of lottery prizes shall
19 not be less than forty percent of the dollar amount of the lottery
20 tickets which have been sold.

21 (2) Beginning October 1, 2003, a portion of the dollar
22 amount of the lottery tickets which have been sold on an annualized

1 basis shall be transferred from the State Lottery Operation Trust
2 Fund to the Education Innovation Fund, the Nebraska Opportunity
3 Grant Fund, the Nebraska Environmental Trust Fund, the Nebraska
4 State Fair Board, and the Compulsive Gamblers Assistance Fund. The
5 dollar amount transferred pursuant to this subsection shall equal
6 the greater of (a) the dollar amount transferred to the funds
7 in fiscal year 2002-03 or (b) any amount which constitutes at
8 least twenty-two percent and no more than twenty-five percent of
9 the dollar amount of the lottery tickets which have been sold on
10 an annualized basis. To the extent that funds are available, the
11 Tax Commissioner and director may authorize a transfer exceeding
12 twenty-five percent of the dollar amount of the lottery tickets
13 sold on an annualized basis.

14 (3) Of the money available to be transferred to the
15 Education Innovation Fund, the Nebraska Opportunity Grant Fund, the
16 Nebraska Environmental Trust Fund, the Nebraska State Fair Board,
17 and the Compulsive Gamblers Assistance Fund:

18 (a) The first five hundred thousand dollars shall be
19 transferred to the Compulsive Gamblers Assistance Fund to be used
20 as provided in section 71-817;

21 (b) Nineteen and three-fourths percent of the money
22 remaining after the payment of prizes and operating expenses and
23 the initial transfer to the Compulsive Gamblers Assistance Fund
24 shall be transferred to the Education Innovation Fund;

25 (c) Twenty-four and three-fourths percent of the money
26 remaining after the payment of prizes and operating expenses and
27 the initial transfer to the Compulsive Gamblers Assistance Fund

1 shall be transferred to the Nebraska Opportunity Grant Fund;

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

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

20 (f) One percent of the money remaining after the payment
21 of prizes and operating expenses and the initial transfer to the
22 Compulsive Gamblers Assistance Fund shall be transferred to the
23 Compulsive Gamblers Assistance Fund to be used as provided in
24 section 71-817.

25 (4) (a) The Education Innovation Fund is created. At least
26 seventy-five percent of the lottery proceeds allocated to the
27 Education Innovation Fund shall be available for disbursement.

1 (b) For fiscal year 2010-11, the Education Innovation
2 Fund shall be allocated as follows: The first one million
3 dollars shall be transferred to the Excellence in Teaching Cash
4 Fund to fund the Excellence in Teaching Act, and the amount
5 remaining in the Education Innovation Fund shall be allocated,
6 after administrative expenses, for distance education equipment and
7 incentives pursuant to sections 79-1336 and 79-1337.

8 (c) For fiscal year 2011-12, the Education Innovation
9 Fund shall be allocated as follows: (i) The first two hundred
10 twenty-five thousand dollars shall be transferred to the Excellence
11 in Teaching Cash Fund to fund the Attracting Excellence to Teaching
12 Program; (ii) the next three million three hundred sixty-five
13 thousand nine hundred sixty-two dollars shall be distributed
14 to school districts as grants pursuant to the Early Childhood
15 Education Grant Program; (iii) the next two million one hundred
16 seventy-five thousand six hundred seventy-three dollars shall be
17 distributed to local systems as grants for approved accelerated
18 or differentiated curriculum programs for students identified as
19 learners with high ability pursuant to section 79-1108.02; (iv)
20 the next four hundred ninety-one thousand five hundred forty-one
21 dollars shall be used by the State Department of Education for
22 the development of an integrated early childhood, elementary,
23 secondary, and postsecondary student information system; (v) the
24 next four hundred fifty thousand dollars shall fund the Center
25 for Student Leadership and Extended Learning Act; (vi) the next
26 one hundred fourteen thousand six hundred twenty-nine dollars shall
27 fund the multicultural education program created under section

1 79-720; (vii) the next one hundred twenty-three thousand four
2 hundred sixty-eight dollars shall be used by the department to
3 employ persons to investigate and prosecute alleged violations as
4 provided in section 79-868; and (viii) the amount remaining shall
5 be allocated, after administrative expenses, for distance education
6 equipment and incentives pursuant to sections 79-1336 and 79-1337.

7 (d) For fiscal year 2012-13, the Education Innovation
8 Fund shall be allocated as follows: (i) The first forty-five
9 thousand dollars shall be transferred to the Excellence in Teaching
10 Cash Fund to fund the Attracting Excellence to Teaching Program;
11 (ii) the next three million three hundred sixty-five thousand
12 nine hundred sixty-two dollars shall be distributed to school
13 districts as grants pursuant to the Early Childhood Education
14 Grant Program; (iii) the next two million one hundred seventy-five
15 thousand six hundred seventy-three dollars shall be distributed to
16 local systems as grants for approved accelerated or differentiated
17 curriculum programs for students identified as learners with
18 high ability pursuant to section 79-1108.02; (iv) the next one
19 hundred eight thousand one hundred thirty-six dollars shall be
20 used by the department for the development of an integrated
21 early childhood, elementary, secondary, and postsecondary student
22 information system; (v) the next four hundred fifty thousand
23 dollars shall fund the Center for Student Leadership and Extended
24 Learning Act; (vi) the next one hundred fourteen thousand six
25 hundred twenty-nine dollars shall be used by the department to fund
26 the multicultural education program created under section 79-720;
27 (vii) the next one hundred twenty-three thousand four hundred

1 sixty-eight dollars shall be used by the department to employ
2 persons to investigate and prosecute alleged violations as provided
3 in section 79-868; ~~and~~ (viii) the next twenty-seven thousand two
4 hundred dollars shall be used to fund the Interstate Compact on
5 Educational Opportunity for Military Children; and (ix) the amount
6 remaining shall be allocated, after administrative expenses, for
7 distance education equipment and incentives pursuant to sections
8 79-1336 and 79-1337.

9 (e) For fiscal years 2013-14 through 2015-16, the
10 Education Innovation Fund shall be allocated as follows: (i) The
11 first one million dollars shall be transferred to the Excellence in
12 Teaching Cash Fund to fund the Excellence in Teaching Act; (ii)
13 the next allocation shall be distributed to local systems as grants
14 for approved accelerated or differentiated curriculum programs
15 for students identified as learners with high ability pursuant
16 to section 79-1108.02 in an aggregated amount up to the amount
17 distributed in the prior fiscal year for such purposes increased
18 by the basic allowable growth rate pursuant to section 79-1025;
19 (iii) the next allocation shall be used by the State Department
20 of Education for the integrated early childhood, elementary,
21 secondary, and postsecondary student information system in an
22 aggregated amount up to the amount used in the prior fiscal year
23 for such purposes increased by the basic allowable growth rate
24 pursuant to section 79-1025; (iv) the next allocation shall fund
25 the Center for Student Leadership and Extended Learning Act in
26 an aggregated amount up to the amount used in the prior fiscal
27 year for such purposes increased by the basic allowable growth

1 rate pursuant to section 79-1025; (v) the next allocation shall
2 be used by the department to fund the multicultural education
3 program created under section 79-720 in an aggregated amount up
4 to the amount used in the prior fiscal year for such purposes
5 increased by the basic allowable growth rate pursuant to section
6 79-1025; (vi) the next allocation shall be used by the department
7 to employ persons to investigate and prosecute alleged violations
8 as provided in section 79-868 in an aggregated amount up to the
9 amount used in the prior fiscal year for such purposes increased by
10 the basic allowable growth rate pursuant to section 79-1025; and
11 (vii) the amount remaining shall be allocated, after administrative
12 expenses, for distance education equipment and incentives pursuant
13 to sections 79-1336 and 79-1337.

14 (f) For fiscal year 2016-17 and each fiscal year
15 thereafter, the Education Innovation Fund shall be allocated,
16 after administrative expenses, for education purposes as provided
17 by the Legislature.

18 (5) Any money in the State Lottery Operation Trust
19 Fund, the State Lottery Operation Cash Fund, the State Lottery
20 Prize Trust Fund, or the Education Innovation Fund available
21 for investment shall be invested by the state investment officer
22 pursuant to the Nebraska Capital Expansion Act and the Nebraska
23 State Funds Investment Act.

24 (6) Unclaimed prize money on a winning lottery ticket
25 shall be retained for a period of time prescribed by rules and
26 regulations. If no claim is made within such period, the prize
27 money shall be used at the discretion of the Tax Commissioner for

1 any of the purposes prescribed in this section.

2 Sec. 9. This act becomes operative on July 1, 2012.

3 2. On page 33, line 25, after "department" insert "shall
4 distribute amounts from the Education Innovation Fund pursuant to
5 section 9-812 and".

6 3. Renumber the remaining sections and correct the
7 repealer accordingly.