

E AND R AMENDMENTS TO LB 6

Introduced by Murante, 49, Chairman Enrollment and Review

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

3           Section 1. The Legislature finds that the main sources  
4 of funding for assistance to problem gamblers are the Charitable  
5 Gaming Operations Fund as provided in section 9-1,101 and the State  
6 Lottery Operation Trust Fund as provided in section 9-812. It is  
7 the intent of the Legislature that such funding be used primarily  
8 for counseling and treatment services for problem gamblers and  
9 their families who are residents of Nebraska.

10           Sec. 2. For purposes of sections 1 to 7 of this act:

11           (1) Commission means the Nebraska Commission on Problem  
12 Gambling;

13           (2) Division means the Charitable Gaming Division of the  
14 Department of Revenue;

15           (3) Problem gambling means maladaptive gambling behavior  
16 that disrupts personal, family, or vocational pursuits; and

17           (4) Program means the Gamblers Assistance Program.

18           Sec. 3. (1) The Nebraska Commission on Problem Gambling  
19 is created. For administrative purposes only, the commission shall  
20 be within the division. The commission shall have nine members  
21 appointed by the Governor as provided in this section, subject to  
22 confirmation by a majority of the members of the Legislature. The  
23 members of the commission shall have no pecuniary interest, either

1 directly or indirectly, in a contract with the program providing  
2 services to problem gamblers and shall not be employed by the  
3 commission or the Department of Revenue.

4 (2) By July 1, 2013, the Governor shall appoint members  
5 of the commission as follows:

6 (a) One member from a list of at least four persons with  
7 medical care or mental health expertise submitted by the General  
8 Affairs Committee of the Legislature;

9 (b) One member from a list of at least four persons with  
10 expertise in banking and finance submitted by the General Affairs  
11 Committee of the Legislature;

12 (c) One member from a list of at least four persons with  
13 legal expertise submitted by the General Affairs Committee of the  
14 Legislature;

15 (d) One member from a list of at least four persons  
16 with expertise in the field of education submitted by the General  
17 Affairs Committee of the Legislature;

18 (e) One member from a list of four consumers of problem  
19 gambling services submitted by the General Affairs Committee of the  
20 Legislature;

21 (f) One member from a list of four consumers of problem  
22 gambling services submitted by the General Affairs Committee of the  
23 Legislature;

24 (g) One member from a list of at least four persons with  
25 data analysis expertise submitted by the General Affairs Committee  
26 of the Legislature;

27 (h) One member from a list of at least four persons

1 who are residents of the state and are representative of the  
2 public at large submitted by the General Affairs Committee of the  
3 Legislature; and

4 (i) One member from a list of at least four persons  
5 who are residents of the state and are representative of the  
6 public at large submitted by the General Affairs Committee of the  
7 Legislature.

8 (3) The General Affairs Committee of the Legislature  
9 shall hold a confirmation hearing for the appointees, and the  
10 appointments shall be subject to confirmation by a majority of the  
11 members of the Legislature, except that the initial members and  
12 members appointed while the Legislature is not in session shall  
13 serve until the next session of the Legislature, at which time  
14 the General Affairs Committee shall hold a confirmation hearing for  
15 such appointments and a majority of the members of the Legislature  
16 shall approve or disapprove of the appointments.

17 (4) The terms of the members shall be for three years,  
18 except that the Governor shall designate three of the initial  
19 appointees to serve initial terms beginning on July 1, 2013, and  
20 ending on March 1, 2014, three of the initial appointees to serve  
21 initial terms beginning on July 1, 2013, and ending on March 1,  
22 2015, and three of the initial appointees to serve initial terms  
23 beginning on July 1, 2013, and ending on March 1, 2016. The  
24 General Affairs Committee shall submit the list of four persons  
25 for each position to be filled within thirty days after the  
26 operative date of this section for initial appointments, within  
27 thirty days after receiving notice of a vacancy, or by February 1

1 for terms ending the following March 1. The Governor shall make the  
2 applicable appointment within thirty days after receiving the list.  
3 The Governor shall appoint members to fill vacancies in the same  
4 manner as the initial appointments, and such appointees shall serve  
5 for the remainder of the unexpired term.

6 (5) Beginning July 1, 2013, the commission shall adopt  
7 bylaws governing its operation and the commission shall meet at  
8 least four times each calendar year and may meet more often on  
9 the call of the chairperson. Each member shall attend at least  
10 two meetings each calendar year and shall be subject to removal  
11 for failure to attend at least two meetings unless excused by  
12 a majority of the members of the commission. Meetings of the  
13 commission are subject to the Open Meetings Act.

14 Sec. 4. (1) The commission shall appoint one of its  
15 members as chairperson and such other officers as it deems  
16 appropriate. Members shall be reimbursed for their actual and  
17 necessary expenses in carrying out their duties as members of the  
18 commission as provided in sections 81-1174 to 81-1177.

19 (2) The commission shall develop guidelines and standards  
20 for the operation of the program and shall direct the distribution  
21 and disbursement of money in the Compulsive Gamblers Assistance  
22 Fund.

23 (3) The commission shall appoint a director of the  
24 program, provide for office space and equipment, and support  
25 and facilitate the work of the program. The director may hire,  
26 terminate, and supervise commission and program staff, shall be  
27 responsible for the duties of the office and the administration

1 of the program, and shall provide an annual report to the General  
2 Affairs Committee of the Legislature which includes issues and  
3 policy concerns that relate to problem gambling in Nebraska. All  
4 documents, files, and records belonging to the State Committee on  
5 Problem Gambling on July 1, 2013, shall become the property of the  
6 commission on such date.

7 (4) The commission shall by rule and regulation (a)  
8 provide for a process for the evaluation and approval of provider  
9 applications and contracts for treatment and other services funded  
10 from the Compulsive Gamblers Assistance Fund and (b) develop  
11 standards and guidelines for training and certification of problem  
12 gambling counselors.

13 (5) The commission shall provide for (a) the review and  
14 use of evaluation data, (b) the use and expenditure of funds  
15 for education regarding problem gambling and prevention of problem  
16 gambling, and (c) the creation and implementation of outreach  
17 and educational programs regarding problem gambling for Nebraska  
18 residents.

19 (6) The commission may engage in other activities it  
20 finds necessary to carry out its duties under sections 1 to 7 of  
21 this act.

22 (7) The commission shall submit a report within sixty  
23 days after the end of each fiscal year to the Governor and  
24 the Clerk of the Legislature that provides details of the  
25 administration of the program and distribution of funds from  
26 the Compulsive Gamblers Assistance Fund. The report submitted to  
27 the Legislature shall be submitted electronically.

1           Sec. 5. The Gamblers Assistance Program is created. The  
2 program shall:

3           (1) Contract with providers of treatment services to  
4 Nebraska consumers;

5           (2) Promote public awareness of the existence of problem  
6 gambling and the availability of treatment services;

7           (3) Evaluate the existence and scope of problem gambling  
8 in Nebraska and its consequences through means and methods  
9 determined by the commission; and

10           (4) Perform such other duties and provide such other  
11 services as the commission determines.

12           Sec. 6. Section 71-817, Reissue Revised Statutes of  
13 Nebraska, is amended to read:

14           ~~71-817~~ The Compulsive Gamblers Assistance Fund is  
15 created. The fund shall include revenue transferred from the  
16 State Lottery Operation Trust Fund under section 9-812 and the  
17 Charitable Gaming Operations Fund under section 9-1,101 and any  
18 other revenue received by the division for credit to the fund  
19 from any other public or private source, including, but not  
20 limited to, appropriations, grants, donations, gifts, devises,  
21 bequests, fees, or reimbursements. ~~The division~~ commission shall  
22 administer the fund for the ~~treatment of problem gamblers as~~  
23 ~~recommended by the State Committee on Problem Gambling established~~  
24 ~~under section 71-816 and shall spend no more than ten percent~~  
25 ~~of the money appropriated to the fund for administrative costs.~~  
26 operation of the Gamblers Assistance Program. The Director of  
27 Administrative Services shall draw warrants upon the Compulsive

1 Gamblers Assistance Fund upon the presentation of proper vouchers  
2 by the ~~division~~, commission. Money from the Compulsive Gamblers  
3 Assistance Fund shall be used exclusively for the purpose of  
4 providing assistance to agencies, groups, organizations, and  
5 individuals that provide education, assistance, and counseling to  
6 individuals and families experiencing difficulty as a result of  
7 problem gambling, to promote the awareness of problem gamblers  
8 assistance programs, and to pay the costs and expenses of the  
9 Gamblers Assistance Program, including travel. ~~division and the~~  
10 ~~committee with regard to problem gambling~~. The ~~division shall not~~  
11 ~~provide any direct services to problem gamblers or their families~~.  
12 Funds appropriated from the Compulsive Gamblers Assistance Fund  
13 shall not be granted or loaned to or administered by any regional  
14 behavioral health authority unless the authority is a direct  
15 provider of a problem gamblers assistance program. Any money in  
16 the fund available for investment shall be invested by the state  
17 investment officer pursuant to the Nebraska Capital Expansion Act  
18 and the Nebraska State Funds Investment Act.

19           Sec. 7. (1) Except as otherwise provided in subsection  
20 (2) of this section, no person acting on behalf of the Division of  
21 Behavioral Health of the Department of Health and Human Services  
22 or the department shall make expenditures not required by contract  
23 obligations entered into before July 1, 2013, until the Gamblers  
24 Assistance Program created in section 5 of this act commences its  
25 duties.

26           (2) Any contract between the State of Nebraska and a  
27 provider of problem gambling services in existence on July 1, 2013,

1 shall remain in full force and effect and is binding and effective  
2 upon the parties to the contract until the contract is terminated  
3 upon thirty days' notice or renegotiated by the commission.

4 (3) The Compulsive Gamblers Assistance Fund shall not be  
5 subject to any nonstatutory expenditure limitation from any source  
6 and shall be available for expenditure as provided in sections 1 to  
7 6 of this act.

8 Sec. 8. Section 9-1,101, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County  
11 and City Lottery Act, the Nebraska Lottery and Raffle Act, the  
12 Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery  
13 and Raffle Act, and section 9-701 shall be administered and  
14 enforced by the Charitable Gaming Division of the Department  
15 of Revenue, which division is hereby created. The Department of  
16 Revenue shall make annual reports to the Governor, Legislature,  
17 Auditor of Public Accounts, and Attorney General on all tax revenue  
18 received, expenses incurred, and other activities relating to the  
19 administration and enforcement of such acts. The report submitted  
20 to the Legislature shall be submitted electronically.

21 (2) The Charitable Gaming Operations Fund is hereby  
22 created. Any money in the fund available for investment shall be  
23 invested by the state investment officer pursuant to the Nebraska  
24 Capital Expansion Act and the Nebraska State Funds Investment Act.

25 (3) (a) Forty percent of the taxes collected pursuant  
26 to sections 9-239, 9-344, 9-429, and 9-648 shall be available  
27 to the Charitable Gaming Division for administering and enforcing

1 the acts listed in subsection (1) of this section and providing  
2 administrative support for the Nebraska Commission on Problem  
3 Gambling. The remaining sixty percent shall be transferred to the  
4 General Fund. Any portion of the forty percent not used by the  
5 division in the administration and enforcement of such acts and  
6 section shall be distributed as provided in this subsection.

7 (b) On or before November 1 each year, the State  
8 Treasurer shall transfer fifty thousand dollars from the Charitable  
9 Gaming Operations Fund to the Compulsive Gamblers Assistance Fund,  
10 except that no transfer shall occur if the Charitable Gaming  
11 Operations Fund contains less than fifty thousand dollars.

12 (c) Any money remaining in the Charitable Gaming  
13 Operations Fund after the transfer pursuant to subdivision (b)  
14 of this subsection not used by the Charitable Gaming Division in  
15 its administration and enforcement duties pursuant to this section  
16 may be transferred to the General Fund at the direction of the  
17 Legislature.

18 (4) The Tax Commissioner shall employ investigators who  
19 shall be vested with the authority and power of a law enforcement  
20 officer to carry out the laws of this state administered by the Tax  
21 Commissioner or the Department of Revenue and to enforce sections  
22 28-1101 to 28-1117 relating to possession of a gambling device. For  
23 purposes of enforcing sections 28-1101 to 28-1117, the authority  
24 of the investigators shall be limited to investigating possession  
25 of a gambling device, notifying local law enforcement authorities,  
26 and reporting suspected violations to the county attorney for  
27 prosecution.

1           (5) The Charitable Gaming Division may charge a fee for  
2 publications and listings it produces. The fee shall not exceed the  
3 cost of publication and distribution of such items. The division  
4 may also charge a fee for making a copy of any record in its  
5 possession equal to the actual cost per page. The division shall  
6 remit the fees to the State Treasurer for credit to the Charitable  
7 Gaming Operations Fund.

8           (6) For administrative purposes only, the Nebraska  
9 Commission on Problem Gambling shall be located within the  
10 Charitable Gaming Division. The division shall provide office  
11 space, furniture, equipment, and stationery and other necessary  
12 supplies for the commission. Commission staff shall be appointed,  
13 supervised, and terminated by the director of the Gamblers  
14 Assistance Program pursuant to section 4 of this act.

15           Sec. 9. Section 9-812, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17           9-812 (1) All money received from the operation of  
18 lottery games conducted pursuant to the State Lottery Act in  
19 Nebraska shall be credited to the State Lottery Operation Trust  
20 Fund, which fund is hereby created. All payments of the costs  
21 of establishing and maintaining the lottery games shall be made  
22 from the State Lottery Operation Cash Fund. In accordance with  
23 legislative appropriations, money for payments for expenses of the  
24 division shall be transferred from the State Lottery Operation  
25 Trust Fund to the State Lottery Operation Cash Fund, which fund  
26 is hereby created. All money necessary for the payment of lottery  
27 prizes shall be transferred from the State Lottery Operation Trust

1 Fund to the State Lottery Prize Trust Fund, which fund is hereby  
2 created. The amount used for the payment of lottery prizes shall  
3 not be less than forty percent of the dollar amount of the lottery  
4 tickets which have been sold.

5 (2) Beginning October 1, 2003, a portion of the dollar  
6 amount of the lottery tickets which have been sold on an annualized  
7 basis shall be transferred from the State Lottery Operation Trust  
8 Fund to the Education Innovation Fund, the Nebraska Opportunity  
9 Grant Fund, the Nebraska Environmental Trust Fund, the Nebraska  
10 State Fair Board, and the Compulsive Gamblers Assistance Fund. The  
11 dollar amount transferred pursuant to this subsection shall equal  
12 the greater of (a) the dollar amount transferred to the funds  
13 in fiscal year 2002-03 or (b) any amount which constitutes at  
14 least twenty-two percent and no more than twenty-five percent of  
15 the dollar amount of the lottery tickets which have been sold on  
16 an annualized basis. To the extent that funds are available, the  
17 Tax Commissioner and director may authorize a transfer exceeding  
18 twenty-five percent of the dollar amount of the lottery tickets  
19 sold on an annualized basis.

20 (3) Of the money available to be transferred to the  
21 Education Innovation Fund, the Nebraska Opportunity Grant Fund, the  
22 Nebraska Environmental Trust Fund, the Nebraska State Fair Board,  
23 and the Compulsive Gamblers Assistance Fund:

24 (a) The first five hundred thousand dollars shall be  
25 transferred to the Compulsive Gamblers Assistance Fund to be used  
26 as provided in section ~~71-817~~, 6 of this act;

27 (b) Nineteen and three-fourths percent of the money

1 remaining after the payment of prizes and operating expenses and  
2 the initial transfer to the Compulsive Gamblers Assistance Fund  
3 shall be transferred to the Education Innovation Fund;

4 (c) Twenty-four and three-fourths percent of the money  
5 remaining after the payment of prizes and operating expenses and  
6 the initial transfer to the Compulsive Gamblers Assistance Fund  
7 shall be transferred to the Nebraska Opportunity Grant Fund;

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

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

26 (f) One percent of the money remaining after the payment  
27 of prizes and operating expenses and the initial transfer to the

1 Compulsive Gamblers Assistance Fund shall be transferred to the  
2 Compulsive Gamblers Assistance Fund to be used as provided in  
3 section ~~71-817.~~ 6 of this act.

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

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

14 (c) For fiscal year 2011-12, the Education Innovation  
15 Fund shall be allocated as follows: (i) The first two hundred  
16 twenty-five thousand dollars shall be transferred to the Excellence  
17 in Teaching Cash Fund to fund the Attracting Excellence to Teaching  
18 Program; (ii) the next three million three hundred sixty-five  
19 thousand nine hundred sixty-two dollars shall be distributed  
20 to school districts as grants pursuant to the Early Childhood  
21 Education Grant Program; (iii) the next two million one hundred  
22 seventy-five thousand six hundred seventy-three dollars shall be  
23 distributed to local systems as grants for approved accelerated  
24 or differentiated curriculum programs for students identified as  
25 learners with high ability pursuant to section 79-1108.02; (iv)  
26 the next four hundred ninety-one thousand five hundred forty-one  
27 dollars shall be used by the State Department of Education for

1 the development of an integrated early childhood, elementary,  
2 secondary, and postsecondary student information system; (v) the  
3 next four hundred fifty thousand dollars shall fund the Center  
4 for Student Leadership and Extended Learning Act; (vi) the next  
5 one hundred fourteen thousand six hundred twenty-nine dollars shall  
6 fund the multicultural education program created under section  
7 79-720; (vii) the next one hundred twenty-three thousand four  
8 hundred sixty-eight dollars shall be used by the department to  
9 employ persons to investigate and prosecute alleged violations as  
10 provided in section 79-868; (viii) up to the next one hundred  
11 sixty thousand dollars shall be used by the department to implement  
12 section 79-759; and (ix) the amount remaining shall be allocated,  
13 after administrative expenses, for distance education equipment and  
14 incentives pursuant to sections 79-1336 and 79-1337.

15 (d) For fiscal year 2012-13, the Education Innovation  
16 Fund shall be allocated as follows: (i) The first forty-five  
17 thousand dollars shall be transferred to the Excellence in Teaching  
18 Cash Fund to fund the Attracting Excellence to Teaching Program;  
19 (ii) the next three million three hundred sixty-five thousand  
20 nine hundred sixty-two dollars shall be distributed to school  
21 districts as grants pursuant to the Early Childhood Education  
22 Grant Program; (iii) the next two million one hundred seventy-five  
23 thousand six hundred seventy-three dollars shall be distributed to  
24 local systems as grants for approved accelerated or differentiated  
25 curriculum programs for students identified as learners with  
26 high ability pursuant to section 79-1108.02; (iv) the next one  
27 hundred eight thousand one hundred thirty-six dollars shall be

1 used by the department for the development of an integrated  
2 early childhood, elementary, secondary, and postsecondary student  
3 information system; (v) the next four hundred fifty thousand  
4 dollars shall fund the Center for Student Leadership and Extended  
5 Learning Act; (vi) the next one hundred fourteen thousand six  
6 hundred twenty-nine dollars shall be used by the department to fund  
7 the multicultural education program created under section 79-720;  
8 (vii) the next one hundred twenty-three thousand four hundred  
9 sixty-eight dollars shall be used by the department to employ  
10 persons to investigate and prosecute alleged violations as provided  
11 in section 79-868; (viii) up to the next one hundred sixty thousand  
12 dollars shall be used by the department to implement section  
13 79-759; (ix) the next twenty-seven thousand two hundred dollars  
14 shall be used to fund the Interstate Compact on Educational  
15 Opportunity for Military Children; (x) the next two hundred  
16 thousand dollars shall be used to provide grants to establish  
17 bridge programs pursuant to sections 79-1189 to 79-1195; and (xi)  
18 the amount remaining shall be allocated, after administrative  
19 expenses, for distance education equipment and incentives pursuant  
20 to sections 79-1336 and 79-1337.

21 (e) For fiscal year 2013-14, the Education Innovation  
22 Fund shall be allocated as follows: (i) The first one million  
23 dollars shall be transferred to the Excellence in Teaching Cash  
24 Fund to fund the Excellence in Teaching Act; (ii) the next  
25 allocation shall be distributed to local systems as grants for  
26 approved accelerated or differentiated curriculum programs for  
27 students identified as learners with high ability pursuant to

1 section 79-1108.02 in an aggregated amount up to the amount  
2 distributed in the prior fiscal year for such purposes increased  
3 by the basic allowable growth rate pursuant to section 79-1025;  
4 (iii) the next allocation shall be used by the State Department  
5 of Education for the integrated early childhood, elementary,  
6 secondary, and postsecondary student information system in an  
7 aggregated amount up to the amount used in the prior fiscal year  
8 for such purposes increased by the basic allowable growth rate  
9 pursuant to section 79-1025; (iv) the next allocation shall fund  
10 the Center for Student Leadership and Extended Learning Act in  
11 an aggregated amount up to the amount used in the prior fiscal  
12 year for such purposes increased by the basic allowable growth  
13 rate pursuant to section 79-1025; (v) the next allocation shall be  
14 used by the department to fund the multicultural education program  
15 created under section 79-720 in an aggregated amount up to the  
16 amount used in the prior fiscal year for such purposes increased  
17 by the basic allowable growth rate pursuant to section 79-1025;  
18 (vi) the next allocation shall be used by the department to employ  
19 persons to investigate and prosecute alleged violations as provided  
20 in section 79-868 in an aggregated amount up to the amount used  
21 in the prior fiscal year for such purposes increased by the basic  
22 allowable growth rate pursuant to section 79-1025; (vii) up to  
23 the next one hundred sixty thousand dollars shall be used by the  
24 department to implement section 79-759; (viii) the next two hundred  
25 thousand dollars shall be used to provide grants to establish  
26 bridge programs pursuant to sections 79-1189 to 79-1195; and (ix)  
27 the amount remaining shall be allocated, after administrative

1 expenses, for distance education equipment and incentives pursuant  
2 to sections 79-1336 and 79-1337.

3 (f) For fiscal year 2014-15, the Education Innovation  
4 Fund shall be allocated as follows: (i) The first one million  
5 dollars shall be transferred to the Excellence in Teaching Cash  
6 Fund to fund the Excellence in Teaching Act; (ii) the next  
7 allocation shall be distributed to local systems as grants for  
8 approved accelerated or differentiated curriculum programs for  
9 students identified as learners with high ability pursuant to  
10 section 79-1108.02 in an aggregated amount up to the amount  
11 distributed in the prior fiscal year for such purposes increased  
12 by the basic allowable growth rate pursuant to section 79-1025;  
13 (iii) the next allocation shall be used by the State Department  
14 of Education for the integrated early childhood, elementary,  
15 secondary, and postsecondary student information system in an  
16 aggregated amount up to the amount used in the prior fiscal year  
17 for such purposes increased by the basic allowable growth rate  
18 pursuant to section 79-1025; (iv) the next allocation shall fund  
19 the Center for Student Leadership and Extended Learning Act in  
20 an aggregated amount up to the amount used in the prior fiscal  
21 year for such purposes increased by the basic allowable growth  
22 rate pursuant to section 79-1025; (v) the next allocation shall  
23 be used by the department to fund the multicultural education  
24 program created under section 79-720 in an aggregated amount up  
25 to the amount used in the prior fiscal year for such purposes  
26 increased by the basic allowable growth rate pursuant to section  
27 79-1025; (vi) the next allocation shall be used by the department

1 to employ persons to investigate and prosecute alleged violations  
2 as provided in section 79-868 in an aggregated amount up to the  
3 amount used in the prior fiscal year for such purposes increased by  
4 the basic allowable growth rate pursuant to section 79-1025; (vii)  
5 the next two hundred thousand dollars shall be used to provide  
6 grants to establish bridge programs pursuant to sections 79-1189  
7 to 79-1195; and (viii) the amount remaining shall be allocated,  
8 after administrative expenses, for distance education equipment and  
9 incentives pursuant to sections 79-1336 and 79-1337.

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

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

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

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

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

1 money shall be used at the discretion of the Tax Commissioner for  
2 any of the purposes prescribed in this section.

3           Sec. 10. Section 9-831, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           9-831 The division shall spend not less than five  
6 percent of the advertising budget for the state lottery on  
7 problem gambling prevention, education, and awareness messages.  
8 The division shall coordinate messages developed under this section  
9 with the prevention, education, and awareness messages in use on  
10 July 14, 2006, by or developed in conjunction with the ~~Compulsive~~  
11 ~~Gamblers Assistance Program established pursuant to section 71-817-~~  
12 5 of this act. For purposes of this section, the advertising budget  
13 for the state lottery includes amounts budgeted and spent for  
14 advertising, promotions, incentives, public relations, marketing,  
15 or contracts for the purchase or lease of goods or services that  
16 include advertising, promotions, incentives, public relations, or  
17 marketing, but does not include in-kind contributions by media  
18 outlets.

19           Sec. 11. Section 71-804, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21           71-804 For purposes of the Nebraska Behavioral Health  
22 Services Act:

23           (1) Behavioral health disorder means mental illness  
24 or alcoholism, drug abuse, ~~problem gambling~~, or other addictive  
25 disorder;

26           (2) Behavioral health region means a behavioral health  
27 region established in section 71-807;

1           (3) Behavioral health services means services,  
2 including, but not limited to, consumer-provided services, support  
3 services, inpatient and outpatient services, and residential and  
4 nonresidential services, provided for the prevention, diagnosis,  
5 and treatment of behavioral health disorders and the rehabilitation  
6 and recovery of persons with such disorders;

7           (4) Community-based behavioral health services or  
8 community-based services means behavioral health services that are  
9 not provided at a regional center;

10           (5) Department means the Department of Health and Human  
11 Services;

12           (6) Director means the Director of Behavioral Health;

13           (7) Division means the Division of Behavioral Health of  
14 the department;

15           (8) Medical assistance program means the program  
16 established pursuant to the Medical Assistance Act;

17           (9) Public behavioral health system means the statewide  
18 array of behavioral health services for children and adults  
19 provided by the public sector or private sector and supported  
20 in whole or in part with funding received and administered by the  
21 department, including behavioral health services provided under the  
22 medical assistance program;

23           (10) Regional center means one of the state hospitals for  
24 the mentally ill designated in section 83-305; and

25           (11) Regional center behavioral health services or  
26 regional center services means behavioral health services provided  
27 at a regional center.

1           Sec. 12. Sections 4, 5, 6, 7, 8, 9, 10, 11, 13, and 14  
2 of this act become operative on July 1, 2013. The other sections of  
3 this act become operative on their effective date.

4           Sec. 13. Original sections 9-1,101, 9-812, 9-831, 71-804,  
5 and 71-817, Reissue Revised Statutes of Nebraska, are repealed.

6           Sec. 14. The following section is outright repealed:  
7 Section 71-816, Revised Statutes Cumulative Supplement, 2012.

8           Sec. 15. Since an emergency exists, this act takes effect  
9 when passed and approved according to law.

10           2. On page 1, line 1, after "9-1,101," insert "9-812,".