

ONE HUNDRED SIXTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 285CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Brewer, 43.

Read first time January 08, 2020

Committee: General Affairs

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

3 Section 1. At the general election in November 2020, 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) Forty-four and one-half percent of the money remaining after
4 the payment of prizes and operating expenses and the initial transfer to
5 the Compulsive Gamblers Assistance Fund shall first be used to address
6 prison overcrowding as the Legislature may direct and any remaining money
7 shall be transferred to the Nebraska Environmental Trust Fund to be used
8 as provided in the Nebraska Environmental Trust Act;

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

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

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

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

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

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

14 A constitutional amendment to provide for use of a portion of the
15 proceeds of the state lottery to first address prison overcrowding and
16 the remaining money of such portion to carry out the Nebraska
17 Environmental Trust Act.

18 For

19 Against.