

AMENDMENTS TO LB41

Introduced by General Affairs.

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

3 Section 1. Section 9-1,101, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City
6 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
7 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section
8 9-701 shall be administered and enforced by the Charitable Gaming
9 Division of the Department of Revenue, which division is hereby created.
10 The Department of Revenue shall make annual reports to the Governor,
11 Legislature, Auditor of Public Accounts, and Attorney General on all tax
12 revenue received, expenses incurred, and other activities relating to the
13 administration and enforcement of such acts. The report submitted to the
14 Legislature shall be submitted electronically.

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

19 (3)(a) Forty percent of the taxes collected pursuant to sections
20 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable
21 Gaming Division for administering and enforcing the acts listed in
22 subsection (1) of this section and providing administrative support for
23 the Nebraska Commission on Problem Gambling. The remaining sixty percent
24 shall be transferred to the General Fund. Any portion of the forty
25 percent not used by the division in the administration and enforcement of
26 such acts and section shall be distributed as provided in this
27 subsection.

1 (b) On or before the last day of the last month of each calendar
2 quarter ~~November 1 each year~~, the State Treasurer shall transfer one
3 hundred thousand dollars from the Charitable Gaming Operations Fund to
4 the Compulsive Gamblers Assistance Fund, ~~except that no transfer shall~~
5 ~~occur if the Charitable Gaming Operations Fund contains less than one~~
6 ~~hundred thousand dollars.~~

7 (c) Any money remaining in the Charitable Gaming Operations Fund
8 after the quarterly transfers ~~transfer~~ pursuant to subdivision (b) of
9 this subsection not used by the Charitable Gaming Division in its
10 administration and enforcement duties pursuant to this section may be
11 transferred to the General Fund at the direction of the Legislature.

12 (4) The Tax Commissioner shall employ investigators who shall be
13 vested with the authority and power of a law enforcement officer to carry
14 out the laws of this state administered by the Tax Commissioner or the
15 Department of Revenue and to enforce sections 28-1101 to 28-1117 relating
16 to possession of a gambling device. For purposes of enforcing sections
17 28-1101 to 28-1117, the authority of the investigators shall be limited
18 to investigating possession of a gambling device, notifying local law
19 enforcement authorities, and reporting suspected violations to the county
20 attorney for prosecution.

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

27 (6) For administrative purposes only, the Nebraska Commission on
28 Problem Gambling shall be located within the Charitable Gaming Division.
29 The division shall provide office space, furniture, equipment, and
30 stationery and other necessary supplies for the commission. Commission
31 staff shall be appointed, supervised, and terminated by the director of

- 1 the Gamblers Assistance Program pursuant to section 9-1004.
- 2 Sec. 2. Original section 9-1,101, Revised Statutes Cumulative
- 3 Supplement, 2018, is repealed.