

AMENDMENTS TO LB945

(Amendments to Standing Committee amendments, AM1700)

Introduced by Krist, 10.

1 1. Insert the following new section:

2 Sec. 9. Section 9-1,101, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City
5 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
6 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section
7 9-701 shall be administered and enforced by the Charitable Gaming
8 Division of the Department of Revenue, which division is hereby created.
9 The Department of Revenue shall make annual reports to the Governor,
10 Legislature, Auditor of Public Accounts, and Attorney General on all tax
11 revenue received, expenses incurred, and other activities relating to the
12 administration and enforcement of such acts. The report submitted to the
13 Legislature shall be submitted electronically.

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

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

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

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

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

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

26 (6) For administrative purposes only, the Nebraska Commission on
27 Problem Gambling shall be located within the Charitable Gaming Division.
28 The division shall provide office space, furniture, equipment, and
29 stationery and other necessary supplies for the commission. Commission
30 staff shall be appointed, supervised, and terminated by the director of
31 the Gamblers Assistance Program pursuant to section 9-1004.

- 1 2. On page 21, line 31, after "sections" insert "9-1,101,".
- 2 3. Renumber the remaining sections and correct internal references
- 3 accordingly.