

ASSEMBLY JOINT RESOLUTION NO. 2—ASSEMBLYMEN PERKINS, BUCKLEY, OCEGUERA, GIUNCHIGLIANI, ANDERSON, ALLEN, ARBERRY JR., ATKINSON, CARPENTER, CLABORN, CONKLIN, GERHARDT, GOICOECHEA, GRADY, HOGAN, HOLCOMB, HORNE, KIRKPATRICK, KOIVISTO, LESLIE, MANENDO, MARVEL, MCCLAIN, MORTENSON, MUNFORD, OHRENSCHALL, PARKS, PARNELL, PIERCE, SIBLEY AND SMITH

FEBRUARY 25, 2005

JOINT SPONSORS: SENATORS HORSFORD, CARLTON, TITUS, SCHNEIDER, AMODEI, NOLAN, RAGGIO, TOWNSEND AND WIENER

Referred to Committee on Education

SUMMARY—Proposes to amend Nevada Constitution to authorize Legislature to provide for statewide lottery to provide money for textbooks, classroom supplies and class-size reduction. (BDR C-1181)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Proposes to amend the Nevada Constitution to authorize the Legislature to provide for a statewide lottery to provide money for textbooks, classroom supplies and materials and class-size reduction.

Legislative Counsel's Digest:

1 Existing law prohibits this State and the political subdivisions of this State from
2 operating a lottery except for the operation of a lottery authorized by the
3 Legislature in the form of a raffle for charitable or nonprofit activities. (Nev.
4 Const., Art. 4 § 24)

5 This resolution proposes to amend the Constitution of the State of Nevada to
6 authorize the Legislature to provide for a statewide lottery. If the Legislature
7 authorizes such a lottery, it shall provide by law for the manner of operation of the



lottery and for disbursement of the proceeds from the lottery. All proceeds from the lottery, excluding the expenses directly related to the operation of the lottery, must be disbursed to the school districts in this State. A school district may only use the money for textbooks, classroom supplies and materials, and the reduction of class sizes.

If this proposed resolution is passed by the 2005 Legislature, it must also be passed by the next Legislature and then approved and ratified by the people in an election before the proposed amendment to the Nevada Constitution authorizing a statewide lottery becomes effective.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 24 of article 4 of the Constitution of the State of Nevada be amended to read as follows:

~~{Sec:} Sec. 24. 1. {Except as otherwise provided in subsection 2, no lottery may be authorized by this State, nor may lottery tickets be sold.}~~ *The Legislature may authorize a lottery to be operated by or on behalf of the State of Nevada. If the Legislature authorizes such a lottery, the Legislature shall, by law:*

(a) Determine the appropriate manner of operation of the lottery, other than the use of video lottery terminals or similar type of machines.

(b) Provide for the disbursement of all money from the proceeds of the lottery, less expenses directly related to the operation of the lottery, to the school districts in this State in a fair and equitable manner.

(c) Ensure that the money disbursed to the school districts from the proceeds of the lottery is used only to supplement and not replace the money that a school district would otherwise receive from this State for the system of public education.

(d) Ensure that each school district that receives money from the proceeds of the lottery uses the money only to supplement and not to replace the money that the school district would otherwise expend for:

(1) Textbooks;

(2) Classroom supplies and materials; and

(3) The reduction of class sizes.

2. The ~~{State and the}~~ political subdivisions ~~{thereof}~~ of this State shall not operate a lottery.

3. The Legislature may authorize persons engaged in charitable activities or activities not for profit to operate a lottery in the form of a raffle or drawing on their own behalf. All proceeds of the lottery, less expenses directly related to the operation of the lottery, must be used only to benefit



1 charitable or nonprofit activities in this State. A charitable or
2 nonprofit organization shall not employ or otherwise engage
3 any person to organize or operate its lottery for compensation.
4 The Legislature may provide by law for the regulation of such
5 lotteries.



