

**AUDIT REPORT  
OF THE  
NEBRASKA LOTTERY  
FOR THE FISCAL YEAR ENDED JUNE 30, 2021**

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the Auditor of Public Accounts.**

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**Issued on September 29, 2021**

# NEBRASKA LOTTERY

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# NEBRASKA LOTTERY

## BACKGROUND

The Legislature created the Lottery Division of the Nebraska Department of Revenue (Nebraska Lottery) in 1991. Nebraska voters passed a constitutional amendment allowing the creation of a State lottery in November 1992, and the Legislature established the State lottery in 1993. As the 37<sup>th</sup> lottery in the nation, the Nebraska Lottery began scratch ticket sales on September 11, 1993. Sales of on-line products began on July 21, 1994.

The Nebraska Lottery is responsible for contracting for scratch ticket production, on-line equipment, advertising, security, and related services. In addition, the Nebraska Lottery recruits and screens Nebraska Lottery retailers, develops Nebraska Lottery products, and collects Nebraska Lottery revenues.

Currently, the Nebraska Lottery offers Powerball®, Nebraska Pick 5®, Nebraska Pick 3®, 2by2®, MyDaY®, Mega Millions®, Lucky for Life®, and instant games.

Article III, § 24, of the Nebraska Constitution sets out the basic requirements for the transfer of lottery proceeds to certain beneficiary funds, specifying that a portion of those revenues are to “be used for education as the Legislature may direct[.]”

Neb. Rev. Stat. § 9-812(2) (2021 Neb. Laws, LB 528, § 2) offers the following legislative directive for the transfer of lottery proceeds:

*A portion of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund as provided in subsection (3) of this section. The dollar amount transferred pursuant to this subsection shall equal the greater of (a) the dollar amount transferred to the funds in fiscal year 2002-03 or (b) any amount which constitutes at least twenty-two percent and no more than twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis. To the extent that funds are available, the Tax Commissioner and director may authorize a transfer exceeding twenty-five percent of the dollar amount of the lottery tickets sold on an annualized basis.*

Additionally, § 9-812(3) provides these further instructions:

*Of the money available to be transferred to the Education Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund:*

*(a) The first five hundred thousand dollars shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 9-1006;*

*(b) Beginning July 1, 2016, forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Education Improvement Fund;*

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

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

## NEBRASKA LOTTERY

### **BACKGROUND**

(Concluded)

*(e) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 9-1006.*

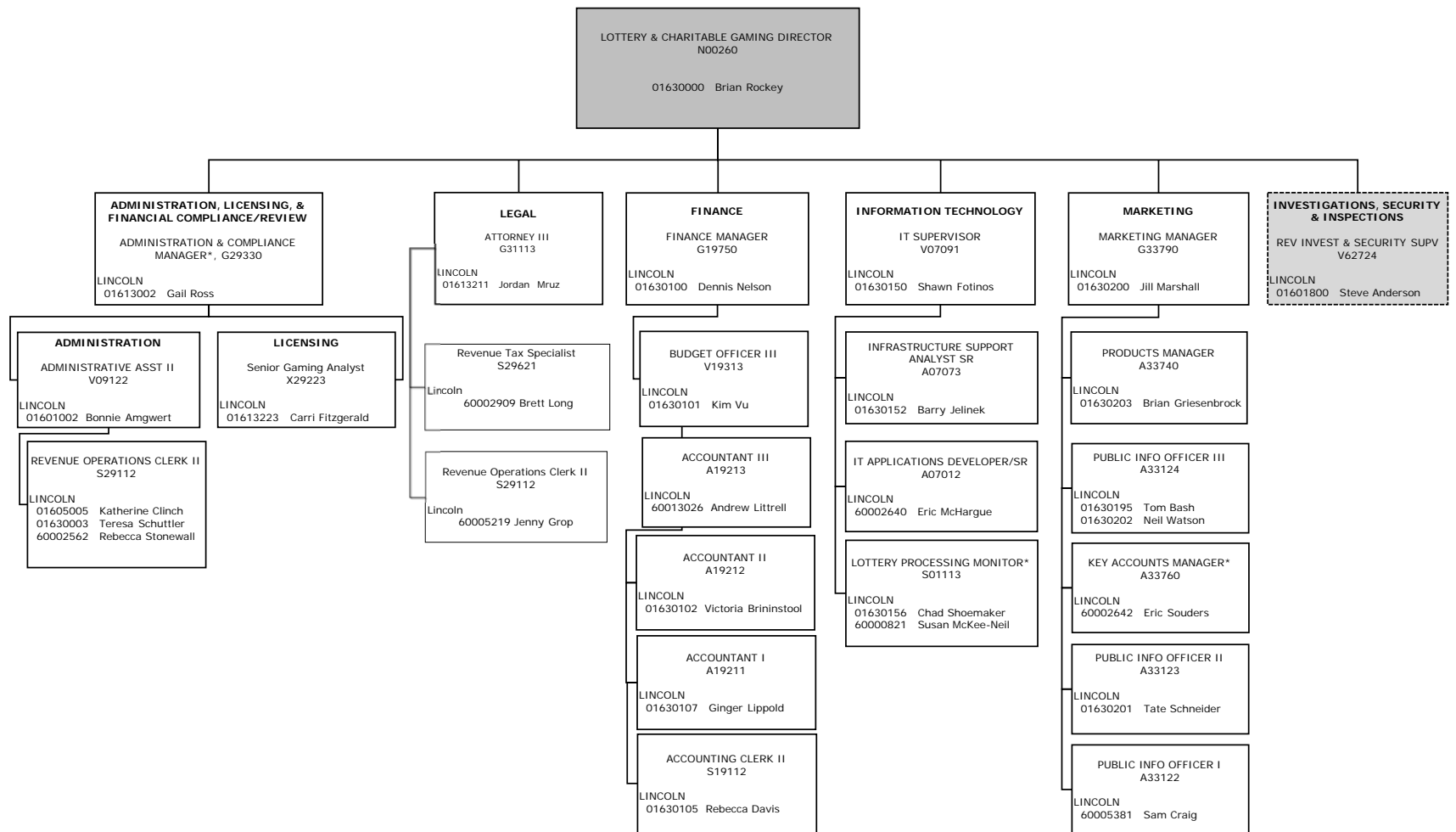
### **MISSION STATEMENT**

The Nebraska Lottery's webpage (<https://nelottery.com/homeapp/about/main>) contains the following mission statement:

*The mission of the Nebraska Lottery is to generate proceeds for good causes as determined by the voters and the Legislature, while providing quality entertainment options to Nebraskans.*

# NEBRASKA LOTTERY ORGANIZATIONAL CHART

## NEBRASKA DEPARTMENT OF REVENUE LOTTERY & CHARITABLE GAMING DIVISIONS January 2021



27 Total Positions

27 Filled  
0 Vacant

Updated 3/2/2021

\*Working Title

NEBRASKA LOTTERY

**KEY OFFICIALS AND AGENCY CONTACT INFORMATION**

**Nebraska Lottery Executive Management**

<b>Name</b>	<b>Title</b>
Tony Fulton	Tax Commissioner
Brian Rockey	Lottery Director
Dennis Nelson	Lottery Finance Manager

The Nebraska Lottery  
137 N.W. 17<sup>th</sup> Street  
Lincoln, NE 68528-1204  
402-471-6100  
lottery@nelottery.com



# NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

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## NEBRASKA LOTTERY

### INDEPENDENT AUDITOR'S REPORT

State Tax Commissioner  
Nebraska Department of Revenue, Lottery Division  
Lincoln, Nebraska

#### **Report on the Financial Statements**

We have audited the accompanying financial statements of the business-type activities of the Nebraska Department of Revenue, Lottery Division (Nebraska Lottery), as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the Nebraska Lottery's basic financial statements, as listed in the Table of Contents.

#### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

#### ***Auditor's Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Nebraska Lottery's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

***Opinion***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities of the Nebraska Lottery, as of June 30, 2021, and the respective changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

***Emphasis of Matter***

As discussed in Note 1, the financial statements of the Nebraska Lottery are intended to present the financial position and the changes in financial position of only that portion of the business activities of the State that is attributable to the transactions of the Nebraska Lottery. They do not purport to, and do not, present fairly the financial position of the State of Nebraska as of June 30, 2021, and the changes in its financial position, or its cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

***Other Matters******Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 7-10 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

***Other Information***

The statistical section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and accordingly, we do not express an opinion or provide any assurance on it.

***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated September 24, 2021, on our consideration of the Nebraska Lottery's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to solely describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Nebraska Lottery's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Nebraska Lottery's internal control over financial reporting and compliance.



Zachary Wells, CPA, CISA  
Audit Manager  
Lincoln, Nebraska

September 24, 2021



## NEBRASKA LOTTERY

### MANAGEMENT'S DISCUSSION AND ANALYSIS

This section of the Nebraska Lottery annual audit presents management's discussion and analysis of the financial performance of the Nebraska Lottery for the fiscal period ended June 30, 2021. This discussion should be read in conjunction with the accompanying financial statements and related notes. The financial statements, notes, and this discussion are the responsibility of the Nebraska Lottery's management.

#### **OVERVIEW OF THE FINANCIAL STATEMENTS**

The Nebraska Legislature established the Nebraska Lottery (Lottery) on February 24, 1993. The Lottery is to provide instant win games and on-line random number selection games. The Lottery began selling instant (scratch) tickets on September 11, 1993, and began selling on-line (lotto) tickets on July 21, 1994. The Lottery is a division of the Nebraska Department of Revenue and as such, the financial summaries presented here and the related comments are for the Lottery's activities only and do not include the Department of Revenue's activities or statements.

The Lottery accounts for its financial transactions as an enterprise fund. Enterprise funds are used to account for governmental operations that are financed and operated in a manner similar to private business. The Lottery uses the accrual basis of accounting. In the annual report issued by the Lottery, there are three financial reports.

**1) Statement of Net Position**

This report will show the assets, liabilities, and net position ("equity") of the Lottery as of June 30, 2021. This report is basically the balance sheet for a private business.

**2) Statement of Revenues, Expenses, and Changes in Net Position**

This report will show the revenue, expenses, transfers to other funds, and changes in net position for the Lottery for the fiscal year. This report would be similar to an income statement or a profit-loss statement for a private business.

**3) Statement of Cash Flows**

This report is an analysis of the sources of cash flows into the Lottery and out of the Lottery for the fiscal year.

#### **DISCUSSION OF NET POSITION**

While reviewing the Summary of Net Position, it must be compared to the prior year's Summary to see the changes in the various classifications (see Table A below). The largest asset change was Accounts Receivable and Reserves on Deposits, which decreased about \$1.2 million. This can be attributed to the number of days outstanding for Accounts Receivable owed by retailers at year-end. For fiscal year 2020, the number of days outstanding, due to the timing of EFT sweeps, was 10 days. The days outstanding for this year was only four. The Cash and Cash Equivalents went down as well this year about \$700,000. The Lottery had a \$1 million Mega Millions winner in March 2020. The Lottery had already received the money to pay the winner, but as of June 2020, the ticket holder had not come forward to claim the prize. The winner later claimed the prize in September 2020.

On the Liability side, the Accounts Payable and Prizes Payable both decreased about \$1.2 million each. Most of the decreased Accounts Payable was due to amounts owed to the lottery services provider. The June 2020 payment was made in early July 2020, thus, there was a larger amount owed than usual at June 30 of last year. For this year, the payment was made prior to year-end. The Prizes Payable decrease was due to the previously mentioned \$1 million Mega Millions prize that was won in March 2020 but was claimed/paid this year.

In the Net Position section, the Unrestricted Assets went up about \$350,000, which is the result of profits that were retained and not distributed during the year.

## NEBRASKA LOTTERY

## MANAGEMENT'S DISCUSSION AND ANALYSIS

(Continued)

Table A  
Summary of Net Position

	FY 2021	FY 2020	Change
<b>CURRENT ASSETS</b>			
Cash and Cash Equivalents	\$ 8,131,659	\$ 8,875,150	\$ (743,491)
Accounts Receivable and Reserves on Deposit	6,497,450	7,703,774	(1,206,324)
Prepaid Prizes and Costs	-	75,324	(75,324)
<b>TOTAL CURRENT ASSETS</b>	<u>14,629,109</u>	<u>16,654,248</u>	<u>(2,025,139)</u>
<b>NONCURRENT ASSETS</b>			
Reserves on Deposit	2,689,721	2,769,264	(79,543)
Furniture, Fixtures, Equipment (Net)	148,491	229,622	(81,131)
<b>TOTAL NONCURRENT ASSETS</b>	<u>2,838,212</u>	<u>2,998,886</u>	<u>(160,674)</u>
<b>TOTAL ASSETS</b>	<u>\$ 17,467,321</u>	<u>\$ 19,653,134</u>	<u>\$ (2,185,813)</u>
<b>CURRENT LIABILITIES</b>			
Accounts Payable	\$ 1,576,958	\$ 2,674,685	\$ (1,097,727)
Compensated Absences and Accrued Payroll Payable	80,399	123,534	(43,135)
Prizes Payable	7,293,102	8,496,591	(1,203,489)
Other Accrued Liabilities	372,234	429,892	(57,658)
<b>TOTAL CURRENT LIABILITIES</b>	<u>9,322,693</u>	<u>11,724,702</u>	<u>(2,402,009)</u>
<b>NONCURRENT LIABILITIES</b>			
Compensated Absences Payable	265,915	258,916	6,999
<b>TOTAL NONCURRENT LIABILITIES</b>	<u>265,915</u>	<u>258,916</u>	<u>6,999</u>
<b>TOTAL LIABILITIES</b>	<u>\$ 9,588,608</u>	<u>\$ 11,983,618</u>	<u>\$ (2,395,010)</u>
<b>NET POSITION</b>			
Net Investment in Capital Assets	\$ 148,491	\$ 229,622	\$ (81,131)
Restricted for Future Prizes	2,689,721	2,769,264	(79,543)
Unrestricted Assets	5,040,501	4,670,630	369,871
<b>TOTAL NET POSITION</b>	<u>\$ 7,878,713</u>	<u>\$ 7,669,516</u>	<u>\$ 209,197</u>

**DISCUSSION OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION**

After experiencing a slight drop in sales for fiscal year 2020, the Lottery had record sales for this year. Sales increased more than \$22.2 million (see Table B below). The Lottery saw scratch sales increase by \$11.4 million (+10.2%) and lotto sales increase by \$10.8 million (+15.2%). The overall increase was 12.1%.

On the scratch side, the largest increase was in the \$20 price point (\$4.2 million) followed by the \$5 price point (\$2.9 million), and the \$10 price point (\$2.8 million). The \$1, \$2, and \$3 price points also increased for a combined total of about \$1.6 million. At this time, we do not know the specific reason for the increased sales but suspect that alterations in consumer behavior previously caused by COVID-19 restrictions may have led to new players purchasing our products and remaining loyal to our offerings.

# NEBRASKA LOTTERY

## MANAGEMENT'S DISCUSSION AND ANALYSIS

(Continued)

On the lotto side, \$5.1 million of the increase was due to Mega Millions and \$4.7 million was from Powerball. In January 2021, Mega Millions was running a jackpot of more than \$1 billion while Powerball had a jackpot going of more than \$700 million. The number of large jackpot runs and the size of the jackpots materially affect weekly lotto sales for those two jackpot games. Nebraska Pick 3 sales went up \$1.2 million while sales for 2by2, MyDaY, and Lucky for Life were up a combined \$.6 million. The only game with lower sales this year was Nebraska Pick 5 which decreased \$.8 million.

The Prize Expense went up about \$14 million. This can be attributed to the higher sales over last year. The higher sales also affected Contractual Services (costs related to our lottery services provider which are based on a percentage of sales) as it was about \$1.5 million more than last year, as well as Retailer Commissions which were about \$1.5 million more. The Marketing Expense went down about \$750,000 due to COVID-19 as the Lottery cut back on advertising campaigns and promotional events during the year.

The Transfers to Other Funds had an increase of almost \$5.8 million. With the higher sales, the Lottery had more profits and was able to transfer more to the beneficiary trust funds this year.

Table B  
Summary of Revenues, Expenses, and Changes in Net Position

	FY 2021	FY 2020	Change
<b>REVENUES</b>			
Sales	\$ 208,146,715	\$ 185,051,830	\$ 23,094,885
Sales Returns	(2,864,025)	(1,976,305)	(887,720)
<b>OPERATING REVENUE</b>	<u>205,282,690</u>	<u>183,075,525</u>	<u>22,207,165</u>
Interest Income	238,229	312,017	(73,788)
Other Income	11,163	7,986	3,177
Multi-State Lottery Assoc. Income	2,381	71,968	(69,587)
<b>NON-OPERATING REVENUE</b>	<u>251,773</u>	<u>391,971</u>	<u>(140,198)</u>
<b>TOTAL REVENUES</b>	<u>\$ 205,534,463</u>	<u>\$ 183,467,496</u>	<u>\$ 22,066,967</u>
<b>EXPENSES</b>			
Prize Expense	\$ 122,341,140	\$ 108,269,685	\$ 14,071,455
Retailer Commissions	13,509,332	12,017,807	1,491,525
Contractual Services	14,266,599	12,775,817	1,490,782
Marketing Expense	4,816,529	5,569,687	(753,158)
Lottery Operating Expense	2,212,728	2,043,562	169,166
<b>TOTAL EXPENSES</b>	<u>\$ 157,146,328</u>	<u>\$ 140,676,558</u>	<u>\$ 16,469,770</u>
<b>NET INCOME BEFORE TRANSFERS</b>	<u>\$ 48,388,135</u>	<u>\$ 42,790,938</u>	<u>\$ 5,597,197</u>
<b>TRANSFERS TO OTHER FUNDS</b>	<u>\$ 48,178,938</u>	<u>\$ 42,405,635</u>	<u>\$ 5,773,303</u>
<b>CHANGE IN NET POSITION</b>	<u>\$ 209,197</u>	<u>\$ 385,303</u>	<u>(\$176,106)</u>
<b>BEGINNING NET POSITION</b>	<u>\$ 7,669,516</u>	<u>\$ 7,284,213</u>	<u>\$ 385,303</u>
<b>ENDING NET POSITION</b>	<u>\$ 7,878,713</u>	<u>\$ 7,669,516</u>	<u>\$ 209,197</u>

## NEBRASKA LOTTERY

### MANAGEMENT'S DISCUSSION AND ANALYSIS

(Concluded)

#### **OTHER ITEMS OF NOTE**

The unpredictability of the Powerball, Mega Millions, and Pick 5 jackpots along with external forces that affect player purchases of both scratch and lotto products (fuel prices, economic situations, international tensions, other entertainment options, pandemics, etc.) could have a material effect on future sales and future transfers to the beneficiary trust funds.

#### **CONTACTING LOTTERY MANAGEMENT**

This financial report is required as part of Governmental Accounting Standards Board (GASB) Statement 34 and is prepared to provide the readers such as the Legislature, the public, and other interested parties with an overview of the financial results of the Nebraska Lottery's activities. If you have any questions about this report, please contact the Nebraska Lottery at PO Box 98901, Lincoln, NE 68509-8901.

NEBRASKA LOTTERY  
**STATEMENT OF NET POSITION**  
As of June 30, 2021

**ASSETS**

**CURRENT ASSETS:**

Cash and Cash Equivalents	\$ 8,131,659
Accounts Receivable, Net of Allowance (Note 5)	6,188,141
Reserves on Deposit (Note 7)	309,309

<b>TOTAL CURRENT ASSETS</b>	<u>14,629,109</u>
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**NONCURRENT ASSETS:**

Reserves on Deposit (Note 7)	2,689,721
Capital Assets:	
Furniture, Fixtures, and Equipment (Note 6)	577,869
Less: Accumulated Depreciation	429,378
Total Capital Assets, Net	<u>148,491</u>

<b>TOTAL NONCURRENT ASSETS</b>	<u>2,838,212</u>
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<b>TOTAL ASSETS</b>	<u><u>\$ 17,467,321</u></u>
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**LIABILITIES**

**CURRENT LIABILITIES:**

Accounts Payable	\$ 466,615
Vendors Payable	1,110,343
Compensated Absences Payable (Note 8)	36,261
Accrued Payroll Payable	44,138
Withheld Taxes on Prizes Paid	57,549
Prizes Payable	7,293,102
Due to Other Funds	25,859
Other Accrued Liabilities	288,826

<b>TOTAL CURRENT LIABILITIES</b>	<u>9,322,693</u>
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**NONCURRENT LIABILITIES:**

Compensated Absences Payable (Note 8)	265,915
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<b>TOTAL NONCURRENT LIABILITIES</b>	<u>265,915</u>
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<b>TOTAL LIABILITIES</b>	<u>9,588,608</u>
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**NET POSITION**

Net Investment in Capital Assets	148,491
Restricted for Future Prizes (Note 7)	2,689,721
Unrestricted (Note 11)	5,040,501

<b>TOTAL NET POSITION</b>	<u>7,878,713</u>
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<b>TOTAL LIABILITIES AND NET POSITION</b>	<u><u>\$ 17,467,321</u></u>
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The accompanying Notes to the Financial Statements are an integral part of this statement.

NEBRASKA LOTTERY  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION**  
For the Year Ended June 30, 2021

<b>OPERATING REVENUE:</b>	
Sales	\$ 208,146,715
Less: Sales Returns	2,864,025
<b>TOTAL OPERATING REVENUE</b>	<u>205,282,690</u>
<b>OPERATING EXPENSES:</b>	
Prize Expense, Net of Unclaimed Prizes (Note 1c)	122,341,140
Retailer Commissions	13,509,332
Contractual Services Expense	14,266,599
Marketing	4,816,529
Lottery Operating	2,212,728
<b>TOTAL OPERATING EXPENSES</b>	<u>157,146,328</u>
<b>OPERATING INCOME</b>	48,136,362
<b>NONOPERATING REVENUE:</b>	
Interest Income	238,229
Other Income	11,163
Multi-State Lottery Association Income	2,381
<b>TOTAL NONOPERATING REVENUE</b>	<u>251,773</u>
<b>INCOME BEFORE OPERATING TRANSFERS</b>	48,388,135
<b>TRANSFERS TO OTHER FUNDS (Note 10)</b>	<u>(48,178,938)</u>
<b>CHANGE IN NET POSITION</b>	209,197
<b>TOTAL NET POSITION, BEGINNING OF YEAR</b>	<u>7,669,516</u>
<b>TOTAL NET POSITION, END OF YEAR</b>	<u><u>\$ 7,878,713</u></u>

The accompanying Notes to the Financial Statements are an integral part of this statement.

**NEBRASKA LOTTERY**  
**STATEMENT OF CASH FLOWS**  
For the Year Ended June 30, 2021

**CASH FLOWS FROM OPERATING ACTIVITIES:**

Ticket Sales	\$ 206,399,229
Prizes Paid to Winners	(123,349,083)
Commissions Paid to Retailers	(13,504,532)
Paid to Contractors for Goods and Services	(20,191,826)
Paid to Employees	(1,739,045)
Other Operating Expenses	(414,051)
Net Cash Provided by Operating Activities	<u>47,200,692</u>

**CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:**

Paid to Compulsive Gamblers Assistance Fund	(976,789)
Paid to Nebraska Environmental Trust Fund	(21,217,127)
Paid to Nebraska Education Improvement Fund	(21,217,127)
Paid to Nebraska State Fair Support and Improvement Cash Fund	(4,767,895)
Net Cash Used in NonCapital Financing Activities	<u>(48,178,938)</u>

**CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:**

Purchase of Property and Equipment	(5,855)
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**CASH FLOWS FROM INVESTING ACTIVITIES:**

Interest on Cash	238,229
Multi-State Lottery Association Income	2,381
Net Cash Provided by Investing Activities	<u>240,610</u>

**NET DECREASE IN CASH AND CASH EQUIVALENTS** (743,491)

**CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR** 8,875,150

**CASH AND CASH EQUIVALENTS AT END OF YEAR** \$ 8,131,659

**RECONCILIATION OF OPERATING INCOME TO  
NET CASH PROVIDED BY OPERATING ACTIVITIES:**

Operating Income \$ 48,136,362

Adjustments to Reconcile Operating Income

to Net Cash Provided by Operating Activities:

Depreciation Expense	98,148
Changes in Assets (Increase) Decrease in:	
Reserves on Deposit	77,162
Prepaid Prizes	75,324
Accounts Receivable - Net	1,208,706
Changes in Liabilities Increase (Decrease) in:	
Other Accrued Liabilities	(82,472)
Accounts Payable and Due to Other Funds	38,714
Prizes Payable	(1,203,489)
Compensated Absences and Accrued Payroll Payable	(36,136)
Withheld Taxes on Prizes Paid	13,699
Vendors Payable	<u>(1,125,326)</u>

Total Adjustments (935,670)

Net Cash Provided by Operating Activities \$ 47,200,692

The accompanying Notes to the Financial Statements are an integral part of this statement.

## NEBRASKA LOTTERY

### NOTES TO THE FINANCIAL STATEMENTS

For the Fiscal Year Ended June 30, 2021

#### 1. Summary of Significant Accounting Policies

##### A. Basis of Presentation

The accompanying basic financial statements of the Nebraska Department of Revenue, Lottery Division, (Nebraska Lottery) have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP), as applied to governmental units. As the Nebraska Lottery is a business-type activity, the financial statements presented are the financial statements required by Governmental Accounting Standards Board (GASB) Statement Number 34 for an enterprise fund. GASB is the accepted standard-setting body for establishing governmental accounting and financial reporting principles.

The basic financial statements have been prepared primarily from data maintained by the Nebraska Lottery on computer systems provided by the lottery-services vendor and from accounts maintained by the State Accounting Administrator of the Department of Administrative Services.

##### B. Reporting Entity

The Nebraska Lottery was created on February 24, 1993, by the Nebraska Legislature as a division of the Nebraska Department of Revenue (Department), established under and governed by the laws of the State of Nebraska. As such, the Nebraska Lottery is exempt from State and Federal income taxes. The financial statements include all funds of the Nebraska Lottery. The Nebraska Lottery is to provide an instant win and a random number selection on-line lottery. The net proceeds, as outlined in Neb. Rev. Stat. § 9-812 (2021 Neb. Laws, LB 528, § 2), are to be transferred to the Compulsive Gamblers Assistance Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, and the Nebraska State Fair Support and Improvement Cash Fund, a fund of the State Fair Board. The financial statements include only the Nebraska Lottery and are not intended to present the financial position of the Department or the results of operations and changes in net positions of the Department as a whole. The Department is part of the primary government for the State of Nebraska's reporting entity.

The Nebraska Lottery has also considered all potential component units for which it is financially accountable, including other organizations that are fiscally dependent on the Nebraska Lottery or whose relationship with the Nebraska Lottery is so significant that exclusion would be misleading or incomplete. GASB has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body, and (1) the ability of the Nebraska Lottery to impose its will on that organization, or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the Nebraska Lottery. The Nebraska Lottery is also considered financially accountable if an organization is fiscally dependent on it, and there is potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the Nebraska Lottery, regardless of whether the organization has (1) a separately elected governing board, (2) a governing board appointed by a higher level of government, or (3) a jointly appointed board.

These financial statements present the Nebraska Lottery. No component units were identified. The Nebraska Lottery is part of the primary government for the State of Nebraska's reporting entity.

##### C. Measurement Focus, Basis of Accounting

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus and basis of accounting. Basis of accounting refers to when revenues and expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.



# NEBRASKA LOTTERY

## NOTES TO THE FINANCIAL STATEMENTS

(Continued)

### 1. Summary of Significant Accounting Policies (Continued)

The Nebraska Lottery's financial statements were reported using the economic resources measurement focus and the accrual basis of accounting. With the economic resources measurement focus, all assets and all liabilities associated with the operations are included on the Statement of Net Position. Revenues are recorded when earned, and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Net Position is segregated into restricted and unrestricted. The Nebraska Lottery's operating statements present increases (e.g., revenues) and decreases (e.g., expenses) in net position.

It is the policy of the State to spend restricted resources only when unrestricted resources are insufficient or unavailable. When both restricted and unrestricted resources are available for use, it is the Nebraska Lottery's policy to use unrestricted resources first, then restricted resources, as they are needed.

Revenues generated from the sale of lottery tickets are reported as operating revenues. Transactions that are capital financing, non-capital financing, or investing related are reported as non-operating revenues. All expenses related to operating the Nebraska Lottery are reported as operating expenses. All other expenses are reported as non-operating expenses.

Instant ticket revenue is recognized when tickets are sold to the retailer, and on-line revenue is recognized after the drawing is completed for the respective wagers. A 5.0% - 6.0% retailer commission and a prize expense are recognized at the same time. Revenues from the sale of on-line tickets for future drawings and the related agent commission and prize expense are deferred until the drawings are held.

Prize expense is recognized in the same period ticket revenue is recognized based on the predetermined prize structure for each game. Because the instant prize-winning tickets are randomly distributed throughout the tickets, and some winning tickets will be lost, destroyed, or unredeemed for other reasons, there will be differences between amounts accrued and the amounts actually paid. These differences, denoted as unclaimed prizes, are recognized as a reduction of prize expense 181 days after the close of each instant game and 181 days after each draw for on-line games, as prizes unclaimed for 180 days expire. Unclaimed prizes for the fiscal year ended June 30, 2021, totaled \$3,532,674.

The activities of the Nebraska Lottery are accounted for as an enterprise fund. Enterprise funds are used to account for governmental operations that are financed and operated in a manner similar to private business enterprises and where the governing body has decided that periodic determination of revenues earned, expenses incurred, and net position is appropriate.

### **D. Cash and Cash Equivalents**

In addition to bank accounts and petty cash, this classification includes all short-term investments, such as certificates of deposit, repurchase agreements, and U.S. treasury bills. These short-term investments may have original maturities (remaining time to maturity at acquisition) greater than three months; however, cash is available and is considered cash and cash equivalents for reporting purposes. These investments are stated at cost, which at June 30, 2021, approximates market. Banks pledge collateral, as required by law, to guarantee State funds held in time and demand deposits.

Cash and cash equivalents are under the control of the State Treasurer or other administrative bodies, as determined by law. All cash deposited with the State Treasurer is initially maintained in a pooled cash account. On a daily basis, the State Treasurer invests cash not needed for current operations with the State's Investment Council, which maintains an operating investment pool for such investments. Interest earned on these investments is allocated to funds based on their percentage of the investment pool.

## NEBRASKA LOTTERY

### NOTES TO THE FINANCIAL STATEMENTS

(Continued)

#### 1. Summary of Significant Accounting Policies (Continued)

##### **E. Budgetary Process**

The State's biennial budget cycle ends on June 30 of the odd-numbered years. By September 15, prior to a biennium, the Nebraska Lottery and all other State agencies must submit their budget requests for the biennium beginning the following July 1. The requests are submitted on forms that show estimated funding requirements by programs, sub-programs, and activities. The Executive Branch reviews the requests, establishes priorities, and balances the budget within the estimated resources available during the upcoming biennium.

The Governor's budget bill is submitted to the Legislature in January. The Legislature considers revisions to the bill and presents the appropriations bill to the Governor for signature. The Governor may: a) approve the appropriations bill in its entirety; b) veto the bill; or c) line item veto certain sections of the bill. Any vetoed bill or line item can be overridden by a three-fifths vote of the Legislature.

The approved appropriations will generally set spending limits for a particular program within the agency. Within the agency or program, the Legislature may provide funding from one to five budgetary fund types. Thus, the control is by fund type, within a program, within an agency.

Appropriations are usually made for each year of the biennium, with unexpended balances being reappropriated at the end of the first year of the biennium. For most appropriations, balances lapse at the end of the biennium.

All State budgetary expenditures for the enterprise fund type are made pursuant to the appropriations, which may be amended by the Legislature, upon approval by the Governor. State agencies may reallocate the appropriations between major objects of expenditure accounts, except that the Legislature's approval is required to exceed the personal service limitations contained in the appropriations bill. Increases in total appropriations must also be approved by the Legislature as a deficit appropriations bill.

Revenues are not budgeted.

##### **F. Receivables**

Receivables are reported net of estimated allowances for uncollectible amounts, which are estimated based upon past collection experience and current economic conditions.

##### **G. Capital Assets**

Capital assets include equipment that is valued at cost when historical records are available and at estimated historical cost when no historical records exist. Donated capital assets are valued at their estimated fair market value on the date received. Generally, equipment that has a cost in excess of \$5,000 at the date of acquisition and has an expected useful life of more than one year is capitalized. Computers are an exception to this policy and are capitalized if they have a cost in excess of \$1,500 and a useful life of more than one year.

Equipment is depreciated using the straight-line method over the estimated useful life of three to seven years.

##### **H. Compensated Absences**

All permanent employees working for the Nebraska Lottery earn sick and annual leave and are allowed to accumulate compensatory leave rather than being paid overtime. Temporary and intermittent employees are not eligible for paid leave. The liability has been calculated using the vesting method, in which leave amounts, for both employees currently eligible to receive termination payments and other employees expected to become eligible in the future to receive such payments upon termination, are included.

# NEBRASKA LOTTERY

## NOTES TO THE FINANCIAL STATEMENTS

(Continued)

### 1. **Summary of Significant Accounting Policies** (Concluded)

Nebraska Lottery employees accrue vested annual leave at a variable rate based on years of service. Generally, accrued annual leave cannot exceed 35 days at the end of a calendar year.

Employees accrue sick leave at a variable rate based on years of service. In general, accrued sick leave cannot exceed 180 days. There is no maximum limit on the accumulation of sick leave days for employees under certain labor contracts. Sick leave is not vested except upon either death or reaching the retirement eligibility age of 55, at which time the State is liable for 25 percent of the employee's accumulated sick leave. Employees under certain labor contracts can only be paid a maximum of 50 or 60 days.

The Nebraska Lottery's financial statements recognize the expense and accrued liability when vacation and compensatory leave is earned or when sick leave is expected to be paid as termination payments.

#### **I. Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at June 30, 2021, and revenues and expenditures during the reporting period. Actual results could differ from those estimates.

### 2. **Deposits and Investments**

Investment of all available cash is made by the State Investment Officer on a daily basis, based on total bank balances. These funds are held in the State of Nebraska Operating Investment Pool (OIP), an internal investment pool. Additional information on the deposits and investments portfolio, including investment policies, risks, and types of investments, can be found in the State of Nebraska's Annual Comprehensive Financial Report (ACFR).

### 3. **Contingencies and Commitments**

**Risk Management.** The Nebraska Lottery is exposed to various risks of loss related to torts, theft of, damage to, or destruction of assets, errors or omissions, injuries to employees, and natural disasters. The Nebraska Lottery, as part of the primary government for the State, participates in the State's risk management program. The Nebraska Department of Administrative Services is responsible for maintaining the insurance and self-insurance programs for the State. The State generally self-insures for general liability, employee health care, employee indemnification, and workers' compensation. The State has chosen to purchase insurance for:

- A. Motor vehicle liability, which includes \$4,700,000 with a self-insured retention of \$300,000 (coverage includes hot pursuit). There is an additional one-time corridor retention of \$300,000. Insurance is also purchased, with various limits and deductibles, for physical damage and uninsured and underinsured motorists. State agencies have the option to purchase coverage for physical damage to vehicles. There is a \$1,000 deductible for this coverage.
- B. Life insurance for eligible employees.
- C. Crime coverage, with a limit of \$10,975,000 for each loss and a \$25,000 self-insured retention per incident subject to specific conditions, limits, and exclusions.

## NEBRASKA LOTTERY

### NOTES TO THE FINANCIAL STATEMENTS

(Continued)

#### 3. Contingencies and Commitments (Concluded)

- D. Real and personal property on a blanket basis for losses up to \$200,700,000, with a self-insured retention of \$300,000 per loss occurrence. Newly acquired properties are covered up to \$5 million for 30 days and \$1 million for 90 days, if the property has not been reported. If not reported after 90 days, the property is not covered. The perils of flood, earthquake, and acts of terrorism have various coverage, sub-limits, and self-insurance. State agencies have the option to purchase building contents and inland marine coverage.

Details of the various insurance coverages are available from the Nebraska Department of Administrative Services – Risk Management Division.

No settlements exceeded commercial insurance coverage in any of the past three fiscal years. Workers' compensation is funded in the Workers' Compensation Internal Service Fund through assessments on each agency based on total agency payroll and past experience. Tort claims, theft of, damage to, or destruction of assets, errors or omissions, and natural disasters would be funded through the State General Fund or by individual agency assessments, as directed by the Legislature, unless covered by purchased insurance. No amounts for estimated claims have been reported in the Nebraska Lottery's financial statements. Health care insurance is funded in the Insurance Trust Funds through a combination of employee and State contributions.

**Litigation.** The potential amount of liability involved in litigation pending against the Nebraska Lottery, if any, could not be determined at this time. However, it is the Nebraska Lottery's opinion that final settlement of those matters should not have an adverse effect on the Nebraska Lottery's ability to administer current programs. Any judgment against the Nebraska Lottery would have to be processed through the State Claims Board and be approved by the Legislature.

#### 4. State Employees Retirement Plan (Plan)

The single-employer Plan became effective by statute on January 1, 1964. The Plan consists of a defined contribution option and a cash balance benefit and is administered by the Nebraska Public Employees Retirement Systems. The cash balance benefit is a type of defined benefit plan. Each member employed and participating in the retirement system prior to January 1, 2003, elected either to continue participation in the defined contribution option or to begin participation in the cash balance benefit. The defined contribution option is closed to new entrants. All new members of the Plan on and after January 1, 2003, become members of the cash balance benefit. The benefits and funding policy of the Plan is established and can only be amended by the Nebraska Legislature.

All permanent full-time employees are required to begin participation in the retirement system upon employment. Prior to April 2011, all permanent part-time employees, who had attained the age of 20, could exercise the option to begin participation in the retirement system. Effective April 2011, the age requirement decreased to 18.

**Contribution.** Per statute, each member contributes 4.8% of his or her monthly compensation. The Nebraska Lottery matches the member's contribution at a rate of 156%. The employee's and employer's contributions are kept in separate accounts.

The employee's account is fully vested. The employer's account is fully vested after a total of three years of participation in the system, including credit for participation in another Nebraska governmental plan prior to actual contribution to the Plan.

# NEBRASKA LOTTERY

## NOTES TO THE FINANCIAL STATEMENTS

(Continued)

### 4. State Employees Retirement Plan (Plan) (Concluded)

**Defined Contribution Option.** Upon attainment of age 55, regardless of service, the retirement allowance is to be equal to the sum of the employee and employer accounts. Members have several forms of payment available, including withdrawals, deferrals, annuities, or a combination of these.

**Cash Balance Benefit.** Upon attainment of age 55, regardless of service, the retirement allowance shall be equal to the accumulated employee and employer cash balance accounts, including interest credits, annuitized for payment in the normal form. The normal form of payment is single life annuity with five-year certain, payable monthly. Members have the option to convert their member cash balance account to a monthly annuity with built in cost-of-living adjustments of 2.5% annually. Also available are additional forms of payment allowed under the State Plan that are actuarially equivalent to the normal form, including the option of lump-sum or partial lump-sum.

For the fiscal year ended June 30, 2021, employees contributed \$61,085, and the Nebraska Lottery contributed \$95,293. A separate plan report is issued by and can be obtained from the Nebraska Public Employees Retirement System. This report contains full pension-related disclosures.

The State of Nebraska Annual Comprehensive Financial Report (ACFR) also includes pension-related disclosures. The ACFR report is available from the Nebraska Department of Administrative Services – Accounting Division or on the Nebraska Auditor of Public Accounts’ website at [auditors.nebraska.gov](http://auditors.nebraska.gov).

### 5. Receivables

Retailers comprised principally of grocery stores, convenience stores, and off-sale liquor stores serve as the primary distribution channel for lottery sales to the general public. No one retailer accounts for a significant amount of the Nebraska Lottery’s sales or accounts receivable. Retailers must pay for instant lottery tickets 45 days after activation or when the pack is 70% validated, whichever comes first. Retailers pay for on-line tickets each Wednesday for balances due through the previous Saturday. The retailers’ accounts receivable is net of allowance for uncollectible in the amount of \$29,095.

#### Accounts Receivable

Retailers (net)	\$	6,186,817
Other		1,324
Total	\$	<u>6,188,141</u>

### 6. Capital Assets

Capital asset activity for the year ended June 30, 2021, was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital Assets: Furniture, Fixtures, and Equipment	\$ 561,148	\$ 18,869	\$ 2,148	\$ 577,869
Less: Accumulated Depreciation	331,526	98,149	297	429,378
Total Capital Assets, Net	<u>\$ 229,622</u>	<u>\$ (79,280)</u>	<u>\$ 1,851</u>	<u>\$ 148,491</u>

Depreciation expense for the fiscal year ended June 30, 2021, was \$98,149.

# NEBRASKA LOTTERY

## NOTES TO THE FINANCIAL STATEMENTS

(Continued)

### 7. On-Line Games

During the fiscal year ended June 30, 2021, the Nebraska Lottery offered a variety of on-line games, as described below.

Game Name	Administered by	Nebraska's Share of Prize Reserves
Powerball®	MUSL	\$ 1,569,504
Nebraska Pick 5®	Nebraska Lottery	N/A
Nebraska Pick 3®	Nebraska Lottery	N/A
MyDaY®	Nebraska Lottery	N/A
Mega Millions®	MUSL	992,772
2by2®	MUSL	127,445
Lucky for Life®	MUSL	N/A
	Total	<u>\$ 2,689,721</u>

The Nebraska Lottery is a member of the Multi-State Lottery Association (MUSL), which operates games on behalf of participating state lotteries. Each MUSL member sells on-line game tickets through its agents and makes weekly payments to MUSL in an amount equal to each game's prize structure, less amounts retained for prizes paid directly to the winners by each member lottery. MUSL maintains prize reserve funds on some of the games to serve as a contingency reserve to protect from unforeseen prize liabilities. The money in these reserve funds is to be used at the discretion of the MUSL Board of Directors. The prize reserve funds are refundable to MUSL members if MUSL disbands or if a member leaves MUSL. Members leaving MUSL must wait at least one year before receiving their remaining share of the prize reserve funds.

In addition, the Nebraska Lottery has \$309,309 held by MUSL, reported on the Statement of Net Position as Reserves on Deposit (Current), which can be used to pay the Nebraska Lottery's portion of MUSL's operating budget, any MUSL legal expenses, and other expenses incurred by MUSL. These funds are not tied directly to any MUSL game.

The Powerball® and Mega Millions® grand prizes can be paid either as annual installments or as a lump sum cash payment, depending on the selection of the winner when claiming the prize. If the winner selects annual installments, MUSL purchases bonds, which are held in trust to fund the future installments. Maturities are staggered in order to provide adequate cash flow for each installment. MUSL is responsible for paying amounts owed to the grand prize winners. The assets and related liabilities are reflected in MUSL's financial statements and, therefore, are not reflected in the Nebraska Lottery's financial statements.

The Lucky for Life® top two prize levels can be paid either through annuity payments for the life of the winner or as a lump sum cash payment, depending on the selection of the winner when claiming the prize. If a Nebraska winner selects the annuity, the Nebraska Lottery has a contract with MUSL so that MUSL will secure bids from financial services companies to provide the annual payments directly to the winner. Each participating jurisdiction contributes a proportionate share to fund the annuity or lump sum payment. There were no Lucky for Life® top prize winners in Nebraska this fiscal year.

NEBRASKA LOTTERY

**NOTES TO THE FINANCIAL STATEMENTS**

(Continued)

**8. Noncurrent Liabilities**

Changes in noncurrent liabilities for the year ended June 30, 2021, are summarized as follows:

	Beginning Balance	Increases	Decreases	Ending Balance	Amounts Due Within One Year
Compensated Absences	\$ 287,684	\$ 43,260	\$ 28,768	\$ 302,176	\$ 36,261

**9. Lease Commitments**

The Nebraska Lottery leases office space under an operating lease. The following schedule for operating leases includes all leases for the Nebraska Lottery. Although the lease terms may vary, all leases are subject to annual appropriation by the Legislature.

The minimum annual lease payments for operating leases as of June 30, 2021, are as follows:

Year	Activities
2022	\$ 79,732
2023	\$ 79,732
2024	\$ 79,732
2025	\$ 79,732
2026	\$ 79,732
2027	\$ 79,732
Total	<u>\$ 478,392</u>

The Nebraska Lottery has the option to extend the lease agreement by two 5-year periods for a total additional period of 10 years. Total operating lease payments for the year ended June 30, 2021, were \$78,712.

**10. Significant Compliance Requirements**

Article III, § 24, of the Nebraska Constitution sets out the basic requirements for the transfer of lottery proceeds to certain beneficiary funds, specifying that a portion of those revenues are to “be used for education as the Legislature may direct[.]”

Neb. Rev. Stat. § 9-812(2) (2021 Neb. Laws, LB 528, § 2) offers the following legislative directive for the transfer of lottery proceeds:

*A portion of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund as provided in subsection (3) of this section. The dollar amount transferred pursuant to this subsection shall equal the greater of (a) the dollar amount transferred to the funds in fiscal year 2002-03 or (b) any amount which constitutes at least twenty-two percent and no more than twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis. To the extent that funds are available, the Tax Commissioner and director may authorize a transfer exceeding twenty-five percent of the dollar amount of the lottery tickets sold on an annualized basis.*

## NEBRASKA LOTTERY

### NOTES TO THE FINANCIAL STATEMENTS

(Concluded)

#### 10. Significant Compliance Requirements (Concluded)

Additionally, § 9-812(3) provides these further instructions:

*Of the money available to be transferred to the Education Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund:*

*(a) The first five hundred thousand dollars shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 9-1006;*

*(b) Beginning July 1, 2016, forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Education Improvement Fund;*

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

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

*(e) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 9-1006.*

As required under its enabling legislation, transfers of \$48,178,938 were made to other funds during the fiscal year.

The Nebraska Lottery develops game structures to comply with the minimum prize provision of its enabling legislation, which requires a minimum of 40 percent to be paid in prizes.

The Nebraska Lottery compares the social security number of each winner who has a per-wager prize in excess of \$500 against a list of social security numbers having an outstanding State tax liability or delinquent child support payments. Any delinquent payments are withheld from winnings and forwarded to the appropriate State agency. During the fiscal year, the Nebraska Lottery collected \$17,829 in delinquent State taxes and \$11,716 in delinquent child support payments.

Operating Transfers In/Out will not balance, and Due To/From Other Funds will not balance, within the Nebraska Lottery's financial statements, as the Nebraska Lottery represents only part of the State's primary government.

#### 11. Net Position

The Nebraska Lottery's unrestricted net position represents funds not legally restricted for any specific purpose; however, the funds may be used only to fund additional prize pay-outs, transfers to the beneficiary funds, or additional operating expenses of the Nebraska Lottery. Management's intention is to use the unrestricted net position to fund additional prize pay-outs, retailer incentives, and other game enhancements.





## NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

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State Auditor

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### NEBRASKA LOTTERY

#### **REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

#### **INDEPENDENT AUDITOR'S REPORT**

State Tax Commissioner  
Nebraska Department of Revenue, Lottery Division  
Lincoln, Nebraska

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the business-type activities of the Nebraska Department of Revenue, Lottery Division, (Nebraska Lottery) as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the Nebraska Lottery's basic financial statements, and have issued our report thereon dated September 24, 2021. The report was modified to emphasize that the financial statements present only the funds of the Nebraska Lottery.

#### **Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Nebraska Lottery's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Nebraska Lottery's internal control. Accordingly, we do not express an opinion on the effectiveness of the Nebraska Lottery's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Nebraska Lottery's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Nebraska Lottery's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Purpose of this Report**

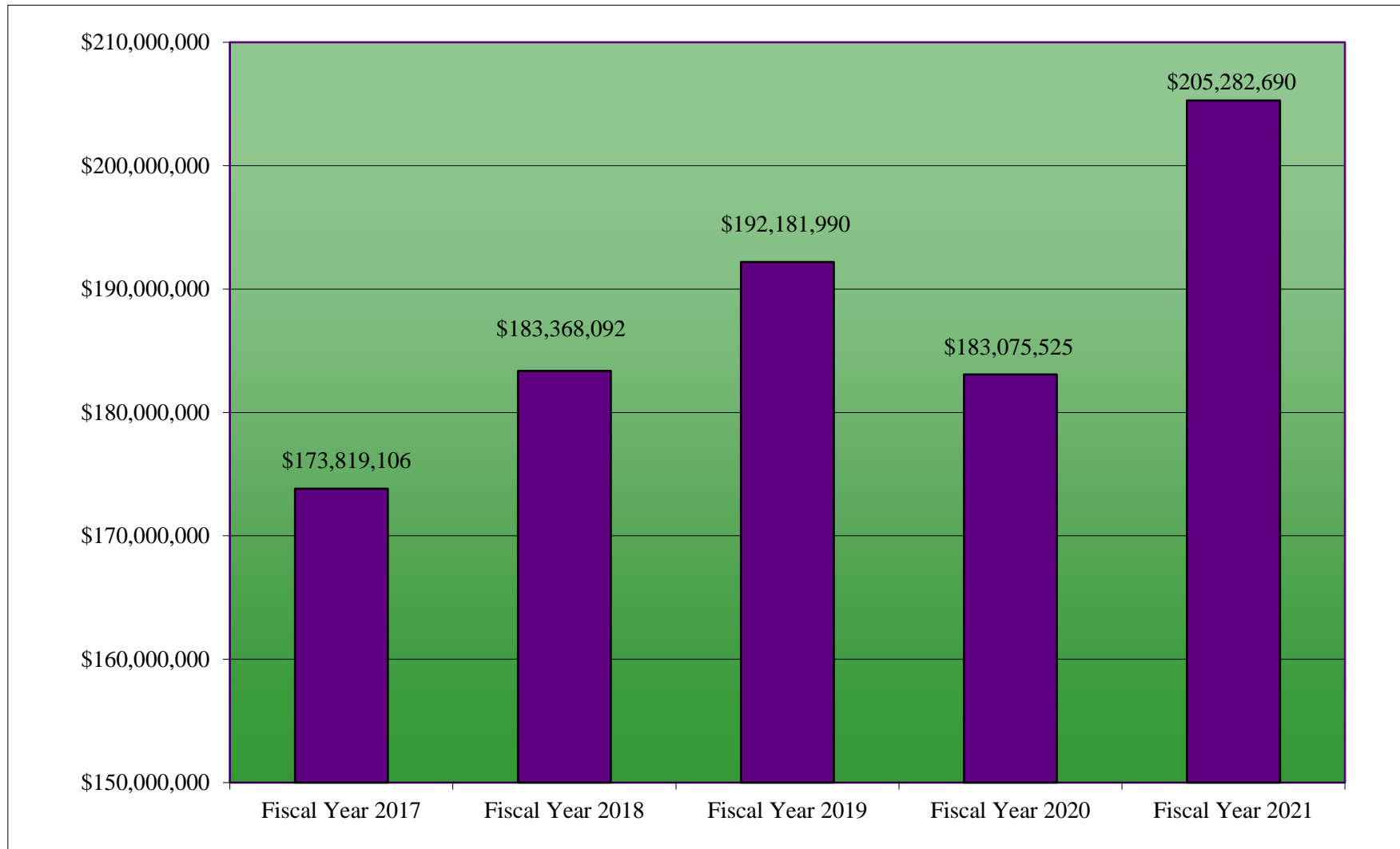
The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, not to provide an opinion on the effectiveness of the Nebraska Lottery's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Nebraska Lottery's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

September 24, 2021



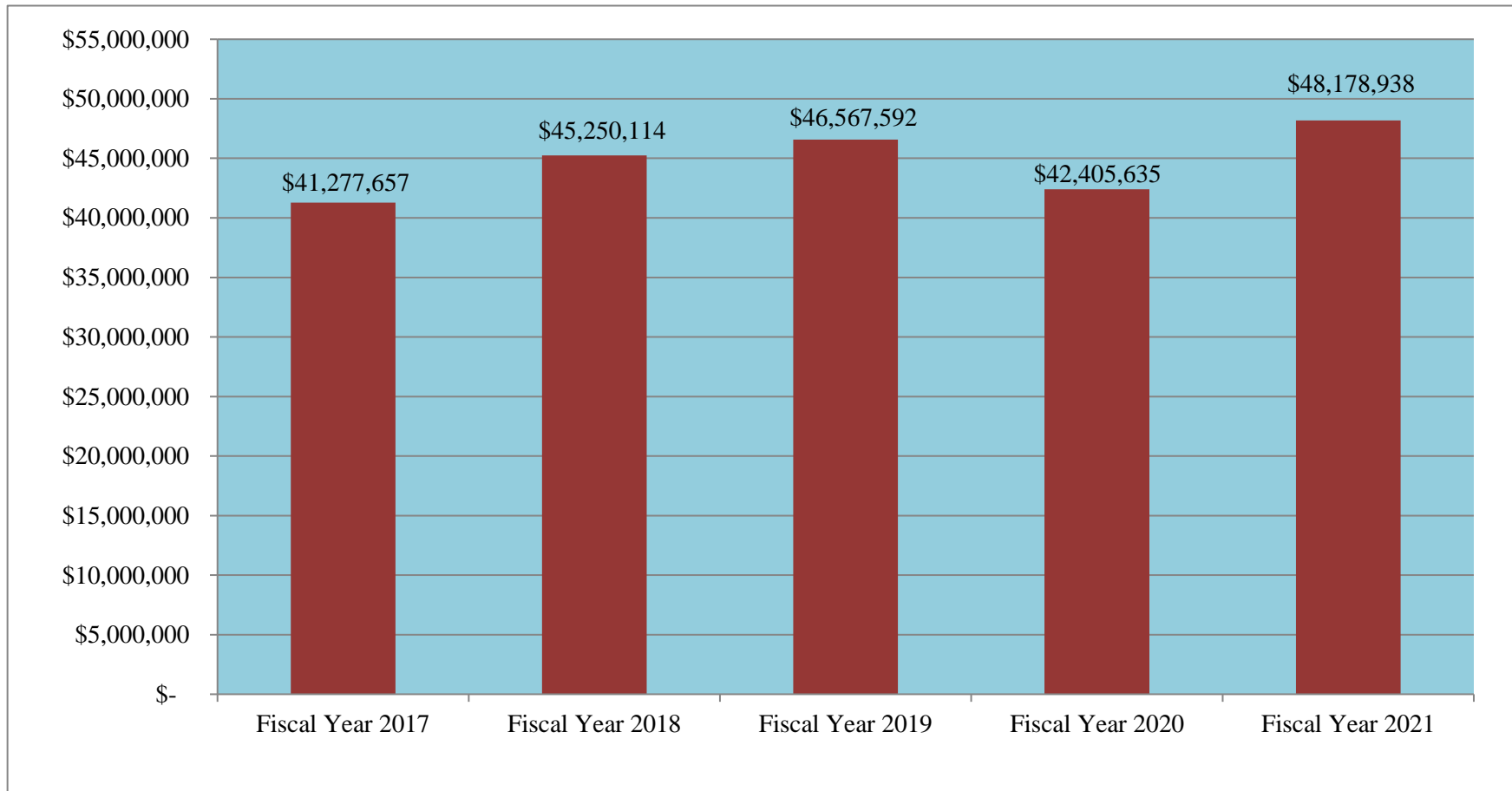
Zachary Wells, CPA, CISA  
Audit Manager  
Lincoln, Nebraska

**NEBRASKA LOTTERY**  
**LOTTERY TICKET SALES**  
For the Fiscal Years 2017 through 2021



Note: These sales are shown on an accrual basis.

**NEBRASKA LOTTERY**  
**TOTAL OPERATING TRANSFERS TO BENEFICIARY FUNDS**  
For the Fiscal Years 2017 through 2021



Note: The Total Operating Transfers include transfers to the Nebraska Environmental Trust Fund, the Compulsive Gamblers Assistance Fund, Nebraska Education Improvement Fund, and the Nebraska State Fair Support and Improvement Cash Fund. These transfers are shown on a cash basis.

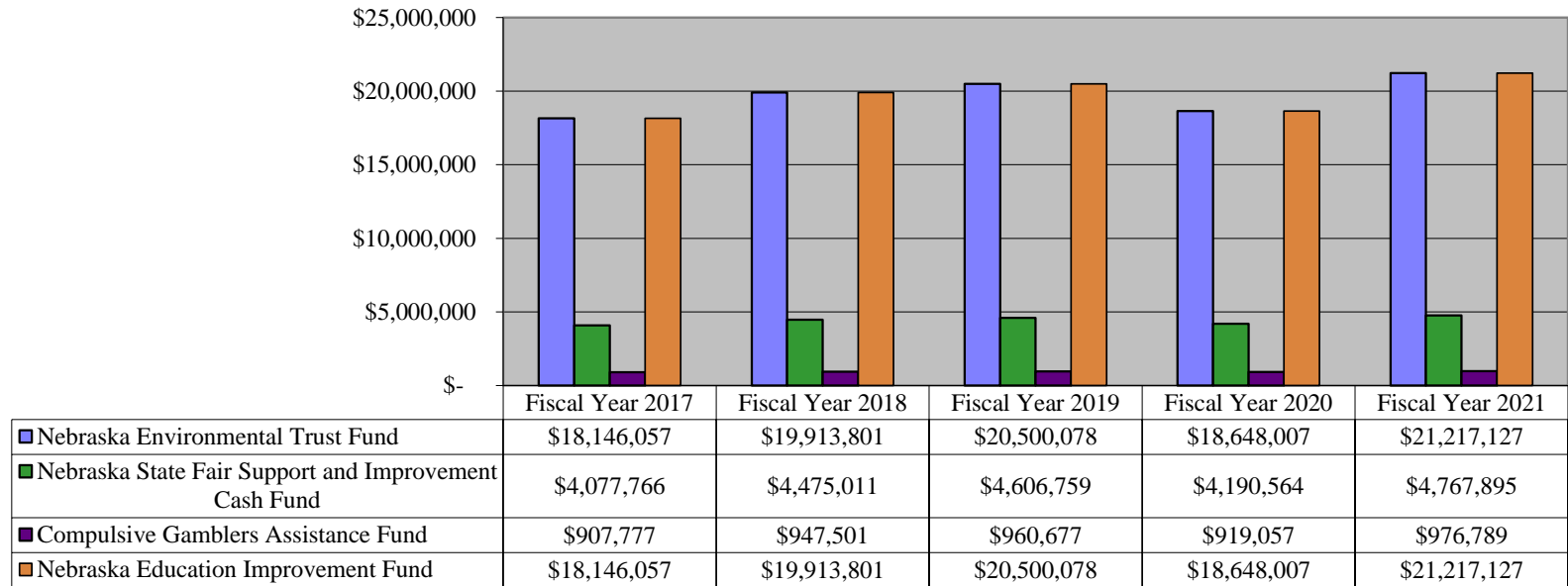
**NEBRASKA LOTTERY**  
**CUMULATIVE OPERATING TRANSFERS**  
**TO BENEFICIARY FUNDS**

For the Fiscal Years 1994 through 2021

Fiscal Year	Transfer Amount
1994	\$ 10,931,811
1995	19,308,170
1996	20,486,304
1997	23,363,387
1998	18,740,463
1999	17,581,026
2000	17,887,538
2001	16,596,397
2002	18,235,952
2003	20,098,664
2004	20,807,945
2005	27,195,478
2006	27,601,895
2007	29,266,219
2008	31,008,281
2009	30,245,118
2010	32,000,274
2011	32,055,328
2012	36,075,064
2013	40,014,701
2014	38,000,092
2015	37,106,983
2016	42,782,923
2017	41,277,657
2018	45,250,114
2019	46,567,592
2020	42,405,635
2021	48,178,938
Total Cumulative Transfers	\$ 831,069,949

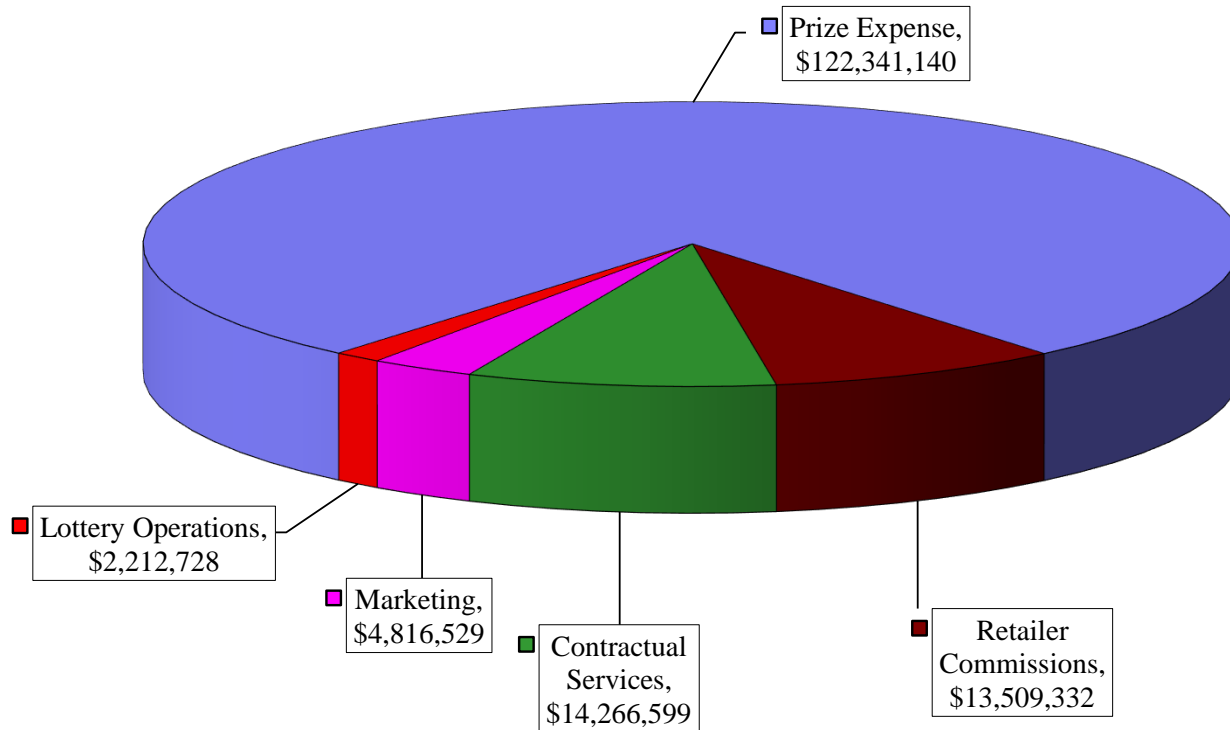
Note: Total Cumulative Transfers includes transfers to the Solid Waste Landfill Closure Fund (final allocation made in July 1997), the Nebraska Environmental Trust Fund, the Education Innovation Fund, the Nebraska Opportunity Grant Fund (beginning October 1, 2003) (LB 956 (2010) changed the Nebraska Scholarship Fund to the Nebraska Opportunity Grant Fund as of July 1, 2010), the Compulsive Gamblers Assistance Fund, and the Nebraska State Fair Support and Improvement Cash Fund (beginning January 1, 2005). These transfers are shown on a cash basis except for an adjustment of \$2,342,407 increasing the Fiscal Year 2000 transfer amount and decreasing the Fiscal Year 2001 transfer amount to better reflect the transfer in the year it relates to. The 2005 transfer amount includes a \$5,000,000 transfer from the State Lottery Operation Trust Fund to the General Fund in July 2004, as required by LB 1091 (2004). Effective July 1, 2016, the Nebraska Lottery no longer transferred funds to the Education Innovation Fund and the Nebraska Opportunity Grant Fund. Instead, the Nebraska Lottery was to transfer 44.5% of funds available to be transferred to the Nebraska Education Improvement Fund (LB 497 (2013)).

**NEBRASKA LOTTERY**  
**OPERATING TRANSFERS TO BENEFICIARY FUNDS**  
For the Fiscal Years 2017 through 2021



Note: Article III, § 24, of the Nebraska Constitution sets out the basic requirements for the transfer of lottery proceeds to certain beneficiary funds, specifying that a portion of those revenues are to “be used for education as the Legislature may direct.” Neb. Rev. Stat. § 9-812(2) (2021 Neb. Laws, LB 528, § 2) provides the following legislative directive for the transfer of lottery proceeds: “A portion of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund as provided in subsection (3) of this section. The dollar amount transferred pursuant to this subsection shall equal the greater of (a) the dollar amount transferred to the funds in fiscal year 2002-03 or (b) any amount which constitutes at least twenty-two percent and no more than twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis. To the extent that funds are available, the Tax Commissioner and director may authorize a transfer exceeding twenty-five percent of the dollar amount of the lottery tickets sold on an annualized basis.” Additionally, § 9-812(3) sets out these further instructions: “Of the money available to be transferred to the Education Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund, the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund: (a) The first five hundred thousand dollars shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 9-1006; (b) Beginning July 1, 2016, forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Education Improvement Fund; (c) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act; (d) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and (e) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in section 9-1006.”

**NEBRASKA LOTTERY  
OPERATING EXPENSES**  
For the Fiscal Year Ended June 30, 2021



**Total Operating Expenses \$157,146,328**

**Breakdown of Expenses**

**Prize Expense:**

Instant Prize Expense	\$	81,865,168
On-Line Prize Expense	\$	44,008,646
Unclaimed Prizes	\$	(3,532,674)
<b>Total</b>	<b>\$</b>	<b>122,341,140</b>

**Retailer Commissions:**

Instant Commissions	\$	8,730,295
On-line Commissions	\$	4,753,617
Misc. Retailer Expense	\$	25,420
<b>Total</b>	<b>\$</b>	<b>13,509,332</b>

**Contractual Services:**

Lottery Service Provider	\$	13,663,675
Other Contractors	\$	602,924
<b>Total</b>	<b>\$</b>	<b>14,266,599</b>

**Marketing Expense:**

Advertising Expense	\$	4,495,809
Promotions Expense	\$	320,720
<b>Total</b>	<b>\$</b>	<b>4,816,529</b>

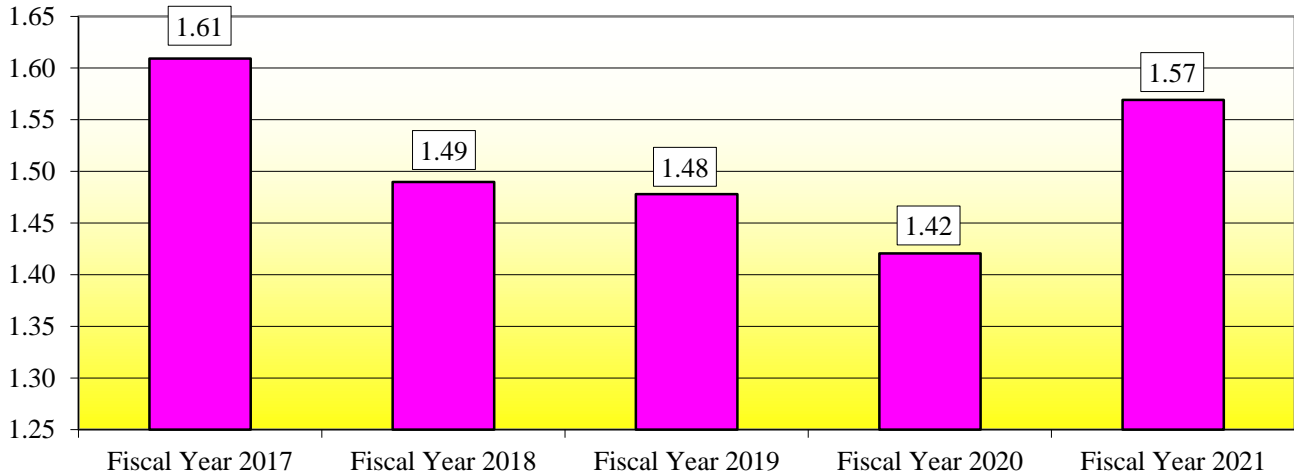
**Lottery Operations:**

Payroll Expense	\$	1,702,910
Other Operating Expense	\$	509,818
<b>Total</b>	<b>\$</b>	<b>2,212,728</b>

# NEBRASKA LOTTERY

## CURRENT RATIO

For the Fiscal Years 2017 through 2021

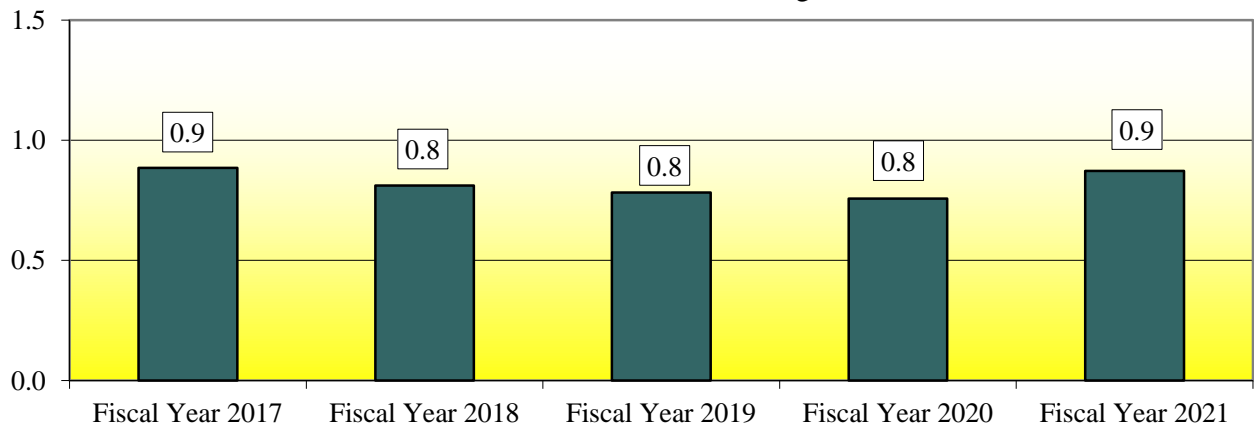


	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
Current Assets	\$ 13,537,620	\$ 15,434,712	\$ 14,238,734	\$ 16,654,248	\$ 14,629,109
Current Liabilities	\$ 8,412,015	\$ 10,361,738	\$ 9,634,227	\$ 11,724,702	\$ 9,322,693

Note: The Current Ratio is an assessment of the Nebraska Lottery's current assets in excess of current liabilities.

## QUICK RATIO

For the Fiscal Years 2017 through 2021



	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
Cash & Cash Equivalents	\$ 7,439,920	\$ 8,408,369	\$ 7,544,574	\$ 8,875,150	\$8,131,659
Current Liabilities	\$ 8,412,015	\$ 10,361,738	\$ 9,634,227	\$ 11,724,702	\$9,322,693

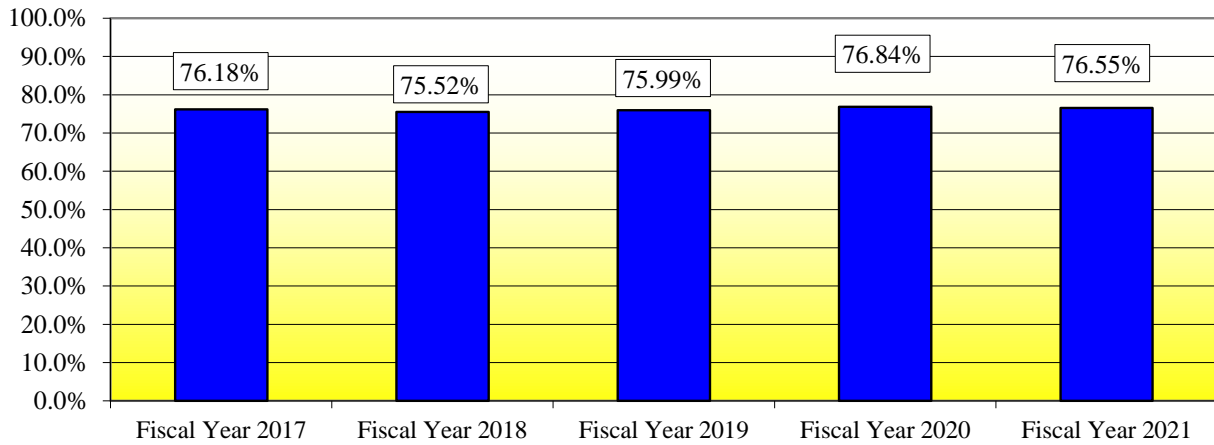
Note: The Quick Ratio is an assessment of the Nebraska Lottery's cash in excess of current liabilities.



# NEBRASKA LOTTERY

## PERCENTAGE OF OPERATING EXPENSES TO REVENUES

For the Fiscal Year 2017 through 2021

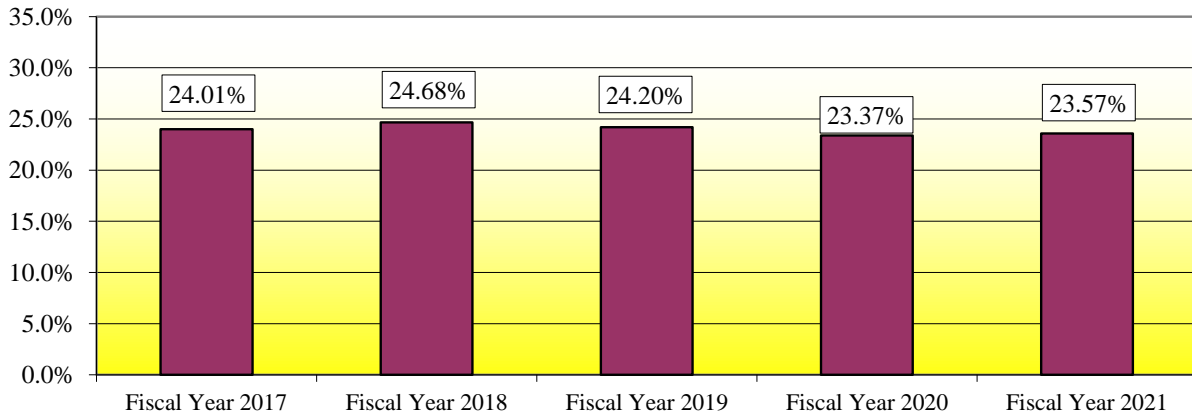


	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
Total Operating Expense	\$ 132,417,829	\$ 138,483,276	\$ 146,030,702	\$ 140,676,558	\$ 157,146,328
Total Operating Revenue	\$ 173,819,106	\$ 183,368,092	\$ 192,181,990	\$ 183,075,525	\$ 205,282,690

Note: The graph represents the percentage of operating expenses to revenues.

## NET INCOME BEFORE TRANSFERS COMPARED TO OPERATING REVENUE

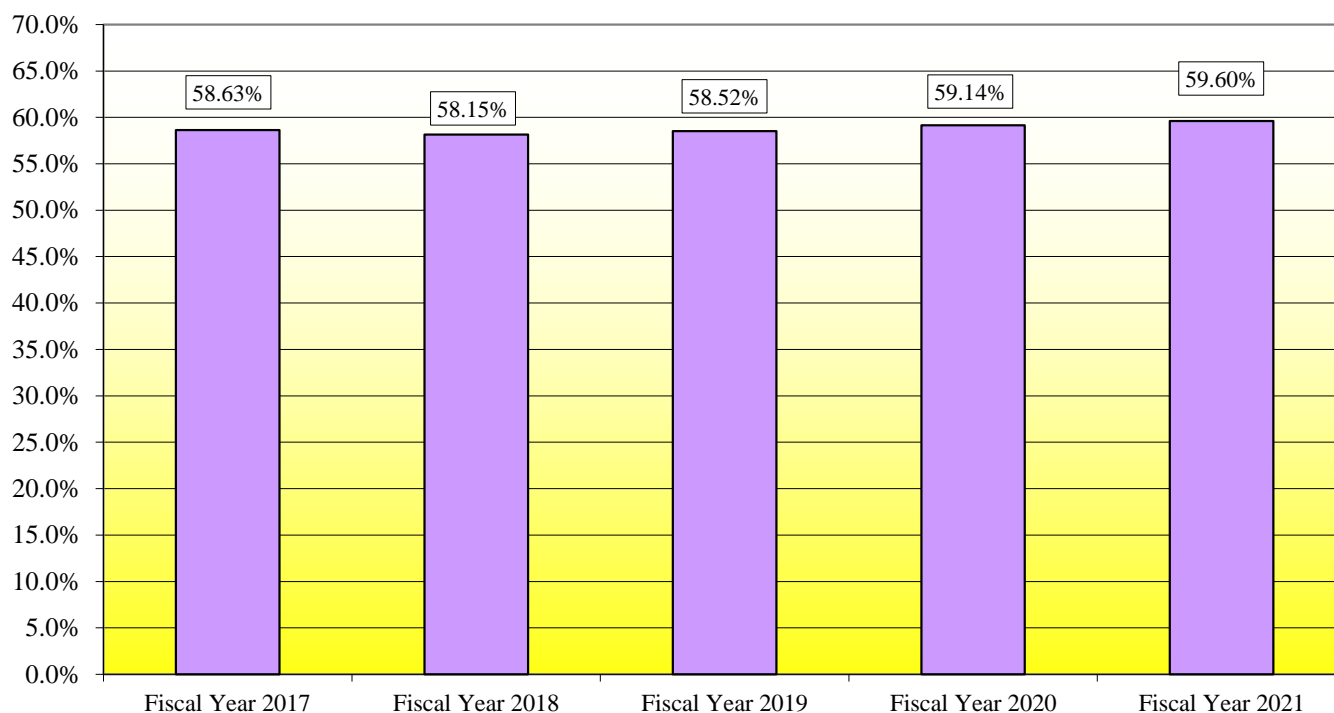
For the Fiscal Years 2017 through 2021



	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
Net Income Before Transfers	\$ 41,732,767	\$ 45,250,761	\$ 46,511,618	\$ 42,790,938	\$ 48,388,135
Total Operating Revenue	\$ 173,819,106	\$ 183,368,092	\$ 192,181,990	\$ 183,075,525	\$ 205,282,690

Note: The graph represents the percentage of net income before operating transfers compared to total operating revenue.

**NEBRASKA LOTTERY**  
**PRIZE PERCENTAGE OF SALES**  
For the Fiscal Years 2017 through 2021



	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
Prize Expense	\$ 101,901,594	\$ 106,634,524	\$ 112,456,626	\$ 108,269,685	\$ 122,341,140
Total Operating Revenue	\$ 173,819,106	\$ 183,368,092	\$ 192,181,990	\$ 183,075,525	\$ 205,282,690

Note: The graph represents the percentage of net sales paid out in prizes.