

**AUDIT REPORT  
OF THE  
NEBRASKA LOTTERY  
FOR THE FISCAL YEAR ENDED JUNE 30, 2022**

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**Issued on October 4, 2022**

# 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) (Supp. 2021) 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.*

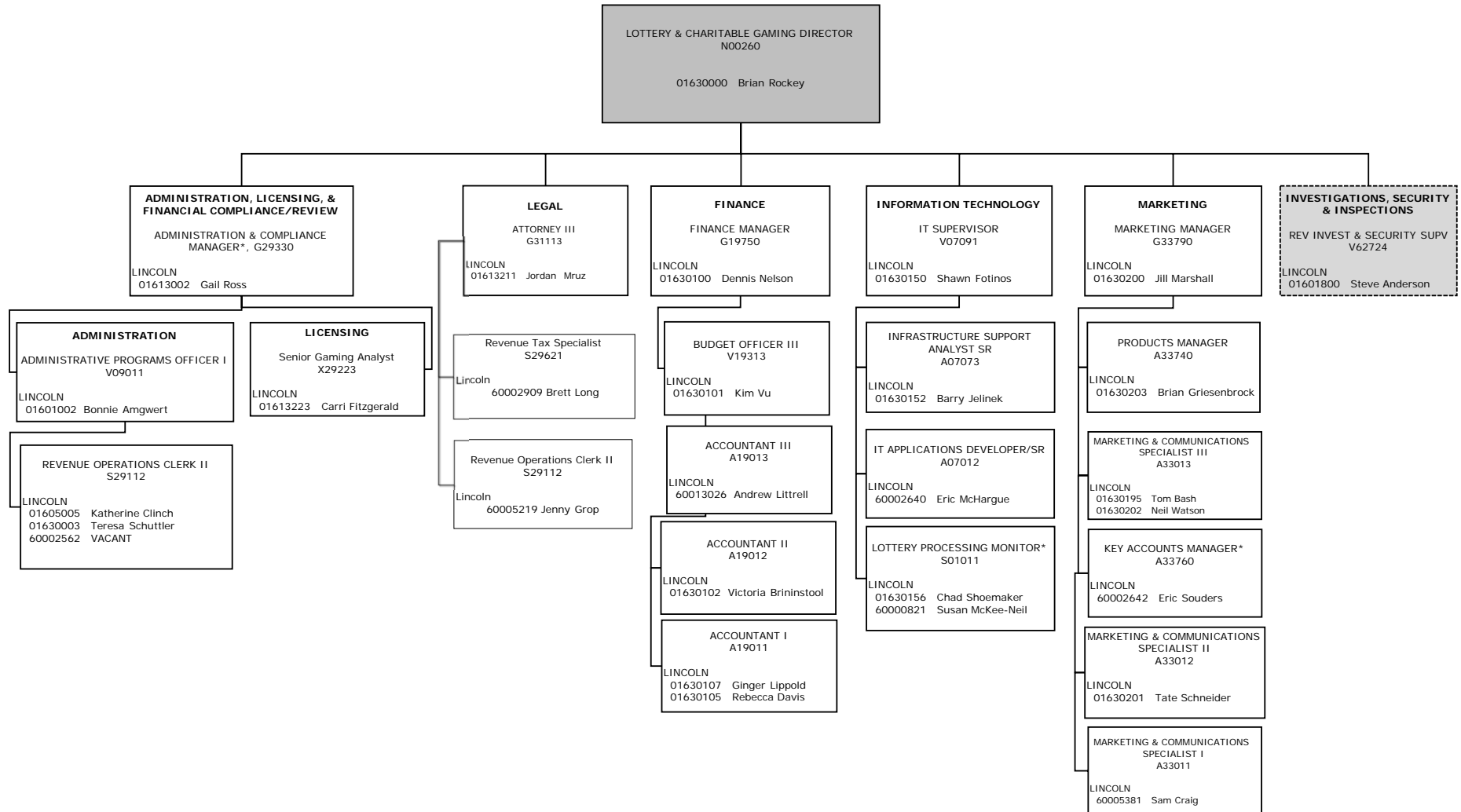
### **MISSION STATEMENT**

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 2022



27 Total Positions

26 Filled  
1 Vacant

\*Working Title

Updated 1/5/2022

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  
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# 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 Audit of the Financial Statements

##### *Opinion*

We have audited 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, 2022, 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.

In our opinion, the accompanying 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, 2022, 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.

##### *Basis for Opinion*

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Nebraska Lottery and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

##### *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, 2022, and the changes in its financial position, or its cash flows thereof, for the year then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

##### *Responsibilities of Management for the Financial Statements*

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for 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.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Nebraska Lottery's ability to continue as a going concern for 12 months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit 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, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Nebraska Lottery's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, on pages 8-11 herein, be presented to supplement the basic financial statements. Such information is the responsibility of management and, 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***

Management is responsible for the other information included in the annual report. The other information comprises the statistical section but does not include the basic financial statements and our auditor's report thereon. Our opinion on the basic financial statements does not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

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

In accordance with *Government Auditing Standards*, we have also issued our report dated September 29, 2022 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 solely to 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.



Matt Schochenmaier, CPA  
Audit Manager  
Lincoln, Nebraska

September 29, 2022

## 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, 2022. 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, 2022. 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). The largest asset change was Cash and Cash Equivalents which increased about \$800,000. In May 2022, there was a Lucky for Life second-tier winner. The Multi-State Lottery Association (MUSL) sent the Lottery the cash option amount of \$390,000 prior to the winner claiming the prize in late June. The Lottery had to make an electronic payment to the player and so at year-end, the cash was still in the account. The actual transfer took place in July. The remainder of the difference can be attributed to the increase in Accounts Payable, which was about \$380,000, that allowed for more cash to be held at the end of the year.

On the Liability side, the Prizes Payable increased about \$600,000. A majority of the increase is related to the lotto game Lucky for Life. As noted earlier, the Lottery still had \$390,000 of cash that had not been transferred to the winner at year-end. This caused the Prizes Payable to be higher.

In the Net Position section, the Restricted for Future Prizes decreased about \$150,000, while the Unrestricted Assets increased about \$180,000. As the Restricted amount went down due to the rebalancing of prize reserves by MUSL, the effect of the rebalancing appears in the Unrestricted.

## NEBRASKA LOTTERY

## MANAGEMENT'S DISCUSSION AND ANALYSIS

(Continued)

Table A  
Summary of Net Position

|  | FY 2022              | FY 2021              | Change              |
|--|----------------------|----------------------|---------------------|
| <b>CURRENT ASSETS</b>                            |                      |                      |                     |
| Cash and Cash Equivalents                        | \$ 8,941,960         | \$ 8,131,659         | \$ 810,301          |
| Accounts Receivable and Reserves on Deposit      | 6,863,617            | 6,497,450            | 366,167             |
| Prepaid Prizes and Costs                         | 162,628              | -                    | 162,628             |
| <b>TOTAL CURRENT ASSETS</b>                      | <b>15,968,205</b>    | <b>14,629,109</b>    | <b>1,339,096</b>    |
| <b>NONCURRENT ASSETS</b>                         |                      |                      |                     |
| Reserves on Deposit                              | 2,540,702            | 2,689,721            | (149,019)           |
| Furniture, Fixtures, Equipment (Net)             | 114,246              | 148,491              | (34,245)            |
| <b>TOTAL NONCURRENT ASSETS</b>                   | <b>2,654,948</b>     | <b>2,838,212</b>     | <b>(183,264)</b>    |
| <b>TOTAL ASSETS</b>                              | <b>\$ 18,623,153</b> | <b>\$ 17,467,321</b> | <b>\$ 1,155,832</b> |
| <b>CURRENT LIABILITIES</b>                       |                      |                      |                     |
| Accounts Payable                                 | \$ 1,957,871         | \$ 1,576,958         | \$ 380,913          |
| Compensated Absences and Accrued Payroll Payable | 92,095               | 80,399               | 11,696              |
| Prizes Payable                                   | 7,908,466            | 7,293,102            | 615,364             |
| Other Accrued Liabilities                        | 514,367              | 372,234              | 142,133             |
| <b>TOTAL CURRENT LIABILITIES</b>                 | <b>10,472,799</b>    | <b>9,322,693</b>     | <b>1,150,106</b>    |
| <b>NONCURRENT LIABILITIES</b>                    |                      |                      |                     |
| Compensated Absences Payable                     | 273,852              | 265,915              | 7,937               |
| <b>TOTAL NONCURRENT LIABILITIES</b>              | <b>273,852</b>       | <b>265,915</b>       | <b>7,937</b>        |
| <b>TOTAL LIABILITIES</b>                         | <b>\$ 10,746,651</b> | <b>\$ 9,588,608</b>  | <b>\$ 1,158,043</b> |
| <b>NET POSITION</b>                              |                      |                      |                     |
| Net Investment in Capital Assets                 | \$ 114,246           | \$ 148,491           | \$ (34,245)         |
| Restricted for Future Prizes                     | 2,540,702            | 2,689,721            | (149,019)           |
| Unrestricted Assets                              | 5,221,554            | 5,040,501            | 181,053             |
| <b>TOTAL NET POSITION</b>                        | <b>\$ 7,876,502</b>  | <b>\$ 7,878,713</b>  | <b>\$ (2,211)</b>   |

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

After experiencing record sales for fiscal year 2021, the sales for this year showed a slight decrease of \$3.0 million (see Table B). The Lottery saw scratch sales decrease by \$6.1 million (-5.0%) and lotto sales increase by \$3.1 million (+3.8%). The overall decrease was 1.5%.

On the scratch side, the only price point with an increase was in the \$20 price point (\$1.6 million). All the other price points saw a decrease with the \$3 price point suffering the largest decrease (\$2.9 million). At this time, we do not know the specific reason for the sales decrease but suspect that alterations in consumer behavior previously caused by COVID-19 restrictions may have led to the sales change.

## NEBRASKA LOTTERY

### MANAGEMENT'S DISCUSSION AND ANALYSIS

(Continued)

On the lotto side, \$3.8 million of the increase was due to Lucky for Life and \$5.7 million was from Powerball. During this fiscal year, Lucky for Life went to seven draws a week which led to the increase. For Powerball, the increase was attributed to higher jackpots. The size and run of jackpots materially affect weekly lotto sales for jackpot games and during fiscal year 2022, there were four Powerball jackpot runs that went over \$300 million whereas fiscal year 2021 had only one. All the other lotto games had decreased sales with Mega Millions having the largest decrease (\$5.7 million). For Mega Millions, there were two jackpot runs for both fiscal year 2021 and fiscal year 2022, but the fiscal year 2021 runs went longer and for higher jackpots.

The Prize Expense went down about \$2.8 million. This can be attributed to both sales products. The lower scratch sales produced lower prize expense, and even though the lotto sales went up, the prize payout for those games are typically lower than scratch games. Contractual Services (costs related to our lottery services provider which are based on a percentage of sales) went down about \$2.4 million due to the lower sales and due to lower contract rates. The Lottery previously issued and evaluated an RFP that resulted in a contract that had lower rates which became effective at the beginning of fiscal year 2022. The Marketing Expense went up about \$1.3 million. This is the result of substantially reduced advertising and promotional spending in fiscal year 2021 (due to COVID-19). The expenses for fiscal year 2022 returned to a more regular pattern for the year.

The Transfers to Other Funds had an increase of almost \$1.2 million. With the better contract rates and reduced prize expense, the Lottery had more profits and was able to transfer more to the beneficiary trust funds this year.

(Continued on Next Page)

# NEBRASKA LOTTERY

## MANAGEMENT'S DISCUSSION AND ANALYSIS (Concluded)

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

|                                    | FY 2022                      | FY 2021                      | Change                       |
|------------------------------------|------------------------------|------------------------------|------------------------------|
| <b>REVENUES</b>                    |                              |                              |                              |
| Sales                              | \$ 205,336,790               | \$ 208,146,715               | \$ (2,809,925)               |
| Sales Returns                      | (3,071,602)                  | (2,864,025)                  | (207,577)                    |
| <b>OPERATING REVENUE</b>           | <u>202,265,188</u>           | <u>205,282,690</u>           | <u>(3,017,502)</u>           |
| Interest Income                    | 217,641                      | 238,229                      | (20,588)                     |
| Other Income                       | 6,780                        | 11,163                       | (4,383)                      |
| Multi-State Lottery Assoc. Income  | 1,659                        | 2,381                        | (722)                        |
| <b>NON-OPERATING REVENUE</b>       | <u>226,080</u>               | <u>251,773</u>               | <u>(25,693)</u>              |
| <b>TOTAL REVENUES</b>              | <u><u>\$ 202,491,268</u></u> | <u><u>\$ 205,534,463</u></u> | <u><u>\$ (3,043,195)</u></u> |
| <b>EXPENSES</b>                    |                              |                              |                              |
| Prize Expense                      | \$ 119,566,977               | \$ 122,341,140               | \$ (2,774,163)               |
| Retailer Commissions               | 13,177,840                   | 13,509,332                   | (331,492)                    |
| Contractual Services               | 11,864,922                   | 14,266,599                   | (2,401,677)                  |
| Marketing Expense                  | 6,141,963                    | 4,816,529                    | 1,325,434                    |
| Lottery Operating Expense          | 2,311,839                    | 2,212,728                    | 99,111                       |
| <b>TOTAL EXPENSES</b>              | <u><u>\$ 153,063,541</u></u> | <u><u>\$ 157,146,328</u></u> | <u><u>\$ (4,082,787)</u></u> |
| <b>NET INCOME BEFORE TRANSFERS</b> | <u>\$ 49,427,727</u>         | <u>\$ 48,388,135</u>         | <u>\$ 1,039,592</u>          |
| <b>TRANSFERS TO OTHER FUNDS</b>    | <u>\$ 49,429,938</u>         | <u>\$ 48,178,938</u>         | <u>\$ 1,251,000</u>          |
| <b>CHANGE IN NET POSITION</b>      | <u>\$ (2,211)</u>            | <u>\$ 209,197</u>            | <u>\$ (211,408)</u>          |
| <b>BEGINNING NET POSITION</b>      | <u>\$ 7,878,713</u>          | <u>\$ 7,669,516</u>          | <u>\$ 209,197</u>            |
| <b>ENDING NET POSITION</b>         | <u><u>\$ 7,876,502</u></u>   | <u><u>\$ 7,878,713</u></u>   | <u><u>\$ (2,211)</u></u>     |

### OTHER ITEMS OF NOTE

The unpredictability of 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, casino gaming, 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 P.O. Box 98901, Lincoln, NE 68509-8901.

NEBRASKA LOTTERY  
**STATEMENT OF NET POSITION**  
As of June 30, 2022

**ASSETS**

**CURRENT ASSETS:**

|  |                   |
|--|-------------------|
| Cash and Cash Equivalents                      | \$ 8,941,960      |
| Accounts Receivable, Net of Allowance (Note 5) | 6,458,660         |
| Prepaid Prizes                                 | 162,628           |
| Reserves on Deposit (Note 7)                   | 404,957           |
| <b>TOTAL CURRENT ASSETS</b>                    | <u>15,968,205</u> |

**NONCURRENT ASSETS:**

|   |                  |
|---|------------------|
| Reserves on Deposit (Note 7)                | 2,540,702        |
| Capital Assets:                             |                  |
| Furniture, Fixtures, and Equipment (Note 6) | 660,573          |
| Less: Accumulated Depreciation              | 546,327          |
| Total Capital Assets, Net                   | <u>114,246</u>   |
| <b>TOTAL NONCURRENT ASSETS</b>              | <u>2,654,948</u> |

|                     |                             |
|---------------------|-----------------------------|
| <b>TOTAL ASSETS</b> | <u><u>\$ 18,623,153</u></u> |
|---------------------|-----------------------------|

**LIABILITIES**

**CURRENT LIABILITIES:**

|                                       |                   |
|---------------------------------------|-------------------|
| Accounts Payable                      | \$ 746,663        |
| Vendors Payable                       | 1,211,208         |
| Compensated Absences Payable (Note 8) | 37,344            |
| Accrued Payroll Payable               | 54,751            |
| Withheld Taxes on Prizes Paid         | 42,034            |
| Prizes Payable                        | 7,908,466         |
| Due to Other Funds                    | 26,342            |
| Other Accrued Liabilities             | 445,991           |
| <b>TOTAL CURRENT LIABILITIES</b>      | <u>10,472,799</u> |

**NONCURRENT LIABILITIES:**

|                                       |                |
|---------------------------------------|----------------|
| Compensated Absences Payable (Note 8) | 273,852        |
| <b>TOTAL NONCURRENT LIABILITIES</b>   | <u>273,852</u> |

|                          |                   |
|--------------------------|-------------------|
| <b>TOTAL LIABILITIES</b> | <u>10,746,651</u> |
|--------------------------|-------------------|

**NET POSITION**

|                                       |                  |
|---------------------------------------|------------------|
| Net Investment in Capital Assets      | 114,246          |
| Restricted for Future Prizes (Note 7) | 2,540,702        |
| Unrestricted (Note 10)                | 5,221,554        |
| <b>TOTAL NET POSITION</b>             | <u>7,876,502</u> |

|   |                             |
|---|-----------------------------|
| <b>TOTAL LIABILITIES AND NET POSITION</b> | <u><u>\$ 18,623,153</u></u> |
|---|-----------------------------|

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, 2022

**OPERATING REVENUE:**

|                                |                    |
|--------------------------------|--------------------|
| Sales                          | \$ 205,336,790     |
| Less: Sales Returns            | 3,071,602          |
| <b>TOTAL OPERATING REVENUE</b> | <u>202,265,188</u> |

**OPERATING EXPENSES:**

|  |                    |
|--|--------------------|
| Prize Expense, Net of Unclaimed Prizes (Note 1c) | 119,566,977        |
| Retailer Commissions                             | 13,177,840         |
| Contractual Services Expense                     | 11,864,922         |
| Marketing  | 6,141,963          |
| Lottery Operating                                | 2,311,839          |
| <b>TOTAL OPERATING EXPENSES</b>                  | <u>153,063,541</u> |

|                         |            |
|-------------------------|------------|
| <b>OPERATING INCOME</b> | 49,201,647 |
|-------------------------|------------|

**NONOPERATING REVENUE:**

|  |                |
|--|----------------|
| Interest Income                        | 217,641        |
| Other Income                           | 6,780          |
| Multi-State Lottery Association Income | 1,659          |
| <b>TOTAL NONOPERATING REVENUE</b>      | <u>226,080</u> |

|  |            |
|--|------------|
| <b>INCOME BEFORE OPERATING TRANSFERS</b> | 49,427,727 |
|--|------------|

|  |                     |
|--|---------------------|
| <b>TRANSFERS TO OTHER FUNDS (Note 9)</b> | <u>(49,429,938)</u> |
|--|---------------------|

|                               |         |
|-------------------------------|---------|
| <b>CHANGE IN NET POSITION</b> | (2,211) |
|-------------------------------|---------|

|  |                  |
|--|------------------|
| <b>TOTAL NET POSITION, BEGINNING OF YEAR</b> | <u>7,878,713</u> |
|--|------------------|

|  |                            |
|--|----------------------------|
| <b>TOTAL NET POSITION, END OF YEAR</b> | <u><u>\$ 7,876,502</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, 2022

**CASH FLOWS FROM OPERATING ACTIVITIES:**

|  |                   |
|--|-------------------|
| Ticket Sales                               | \$ 202,163,785    |
| Prizes Paid to Winners                     | (118,753,677)     |
| Commissions Paid to Retailers              | (13,186,987)      |
| Paid to Contractors for Goods and Services | (17,855,353)      |
| Paid to Employees                          | (1,772,297)       |
| Other Operating Expenses                   | (498,608)         |
| Net Cash Provided by Operating Activities  | <u>50,096,863</u> |

**CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:**

|   |                     |
|---|---------------------|
| Paid to Compulsive Gamblers Assistance Fund                   | (989,300)           |
| Paid to Nebraska Environmental Trust Fund                     | (21,773,822)        |
| Paid to Nebraska Education Improvement Fund                   | (21,773,822)        |
| Paid to Nebraska State Fair Support and Improvement Cash Fund | (4,892,994)         |
| Net Cash Used in NonCapital Financing Activities              | <u>(49,429,938)</u> |

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

|                                    |          |
|------------------------------------|----------|
| Purchase of Property and Equipment | (75,924) |
|------------------------------------|----------|

**CASH FLOWS FROM INVESTING ACTIVITIES:**

|   |                |
|---|----------------|
| Interest on Cash                          | 217,641        |
| Multi-State Lottery Association Income    | 1,659          |
| Net Cash Provided by Investing Activities | <u>219,300</u> |

**NET INCREASE IN CASH AND CASH EQUIVALENTS** 810,301

**CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR** 8,131,659

**CASH AND CASH EQUIVALENTS AT END OF YEAR** \$ 8,941,960

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

|  |                             |
|--|-----------------------------|
| Operating Income   | \$ 49,201,647               |
| Adjustments to Reconcile Operating Income<br>to Net Cash Provided by Operating Activities: |                             |
| Depreciation Expense   | 116,949                     |
| Changes in Assets (Increase) Decrease in:  |                             |
| Reserves on Deposit  | 53,371                      |
| Prepaid Prizes   | (162,628)                   |
| Accounts Receivable - Net  | (270,519)                   |
| Changes in Liabilities Increase (Decrease) in:   |                             |
| Other Accrued Liabilities  | 157,165                     |
| Accounts Payable and Due to Other Funds  | 280,531                     |
| Prizes Payable   | 615,364                     |
| Compensated Absences and Accrued Payroll Payable   | 19,633                      |
| Withheld Taxes on Prizes Paid  | (15,515)                    |
| Vendors Payable  | <u>100,865</u>              |
| Total Adjustments  | <u>895,216</u>              |
| Net Cash Provided by Operating Activities  | <u><u>\$ 50,096,863</u></u> |

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, 2022

#### 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 (Supp. 2021), 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, 2022, totaled \$3,766,397.

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, 2022, 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, 2022, 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. All permanent part-time employees, who have attained the age of 18 years, may exercise the option to begin participation in the retirement system.

**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, 2022, employees contributed \$63,585, and the Nebraska Lottery contributed \$99,193. 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. 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 \$43,493.

#### Accounts Receivable

|                 |    |                  |
|-----------------|----|------------------|
| Retailers (net) | \$ | 6,454,532        |
| Other           |    | 4,128            |
| Total           | \$ | <u>6,458,660</u> |

### 6. Capital Assets

Capital asset activity for the year ended June 30, 2022, was as follows:

|   | Beginning<br>Balance | Increases          | Decreases   | Ending<br>Balance |
|---|----------------------|--------------------|-------------|-------------------|
| Capital Assets: Furniture,<br>Fixtures, and Equipment | \$ 577,869           | \$ 82,704          | \$ -        | \$ 660,573        |
| Less: Accumulated<br>Depreciation                     | 429,378              | 116,949            | -           | 546,327           |
| Total Capital Assets, Net                             | <u>\$ 148,491</u>    | <u>\$ (34,245)</u> | <u>\$ -</u> | <u>\$ 114,246</u> |

Depreciation expense for the fiscal year ended June 30, 2022, was \$116,949.

# NEBRASKA LOTTERY

## NOTES TO THE FINANCIAL STATEMENTS

(Continued)

### 7. On-Line Games

During the fiscal year ended June 30, 2022, the Nebraska Lottery offered a variety of on-line games, as described below.

| Game Name        | Administered by  | Nebraska's Share<br>of Prize Reserves |
|------------------|------------------|---------------------------------------|
| Powerball®       | MUSL             | \$ 1,518,169                          |
| Nebraska Pick 5® | Nebraska Lottery | N/A                                   |
| Nebraska Pick 3® | Nebraska Lottery | N/A                                   |
| MyDaY®           | Nebraska Lottery | N/A                                   |
| Mega Millions®   | MUSL             | 911,261                               |
| 2by2®            | MUSL             | 111,272                               |
| Lucky for Life®  | MUSL             | N/A                                   |
|                  | Total            | <u>\$ 2,540,702</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 \$404,957 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. During this fiscal year, there were three second-tier winners. One winner took the annuity option, and the other two winners took the cash option. For the winner who chose the annuity, per the noted contract, MUSL requested, evaluated, and arranged the purchase of the annuity.

# NEBRASKA LOTTERY

## NOTES TO THE FINANCIAL STATEMENTS

(Continued)

### 8. Noncurrent Liabilities

Changes in noncurrent liabilities for the year ended June 30, 2022, are summarized as follows:

|                         | Beginning<br>Balance | Increases | Decreases | Ending Balance | Amounts<br>Due Within<br>One Year |
|-------------------------|----------------------|-----------|-----------|----------------|-----------------------------------|
| Compensated<br>Absences | \$ 302,176           | \$ 45,281 | \$ 36,261 | \$ 311,196     | \$ 37,344                         |

### 9. 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) (Supp. 2021) 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

NOTES TO THE FINANCIAL STATEMENTS

(Concluded)

9. **Significant Compliance Requirements** (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.*

As required under its enabling legislation, transfers of \$49,429,938 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 \$18,411 in delinquent State taxes and \$18,275 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.

10. **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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### 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, 2022, 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 29, 2022. The report was modified to emphasize that the financial statements present only the funds of the Nebraska Lottery.

#### **Report on 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.

**Report on 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**

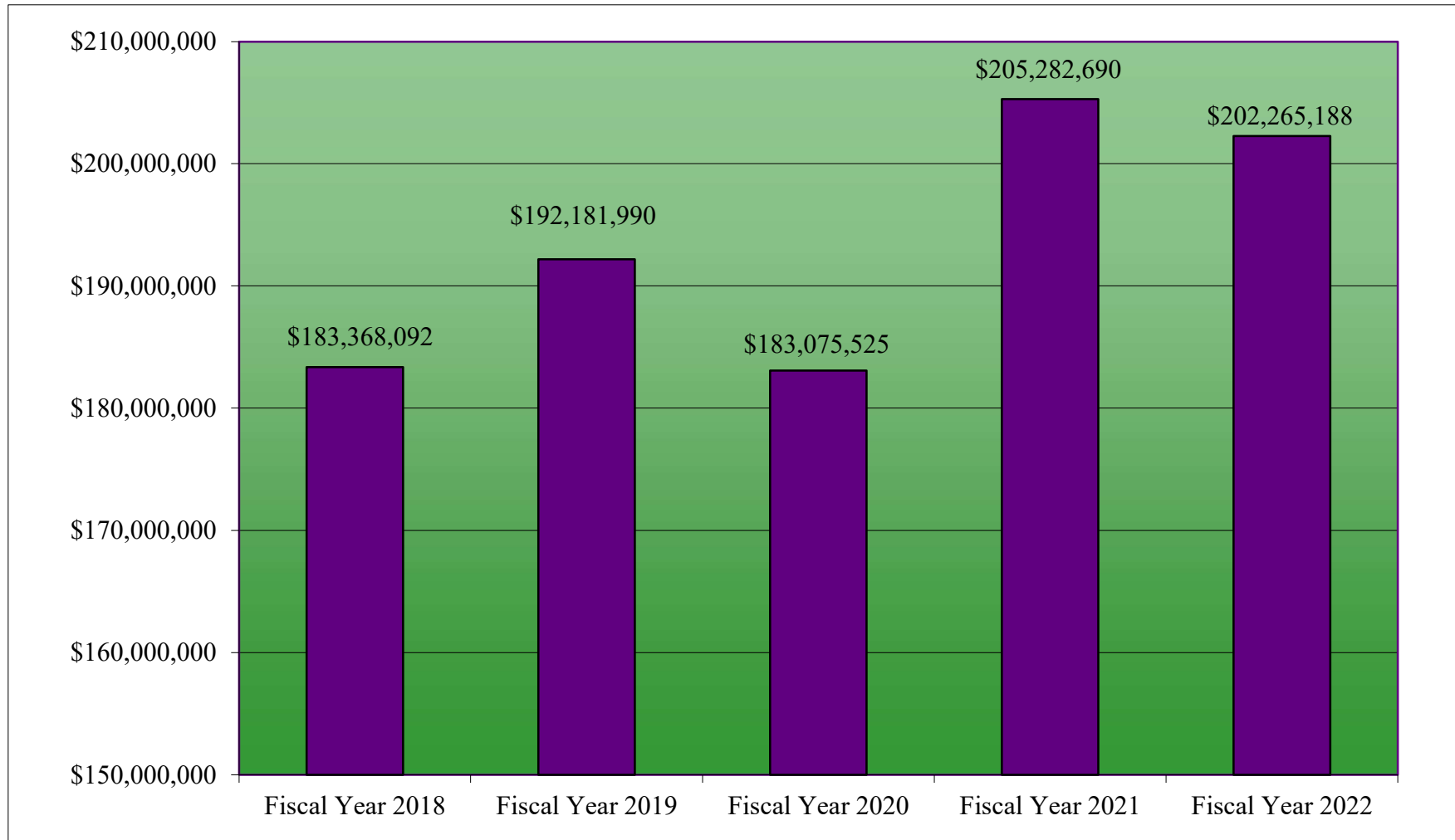
The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, not to provide an opinion on the effectiveness of the Nebraska Lottery's internal control or on compliance. This report is an integral part of an audit performed 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 29, 2022

A handwritten signature in black ink that reads "Matt Schochenmaier". The signature is written in a cursive, flowing style.

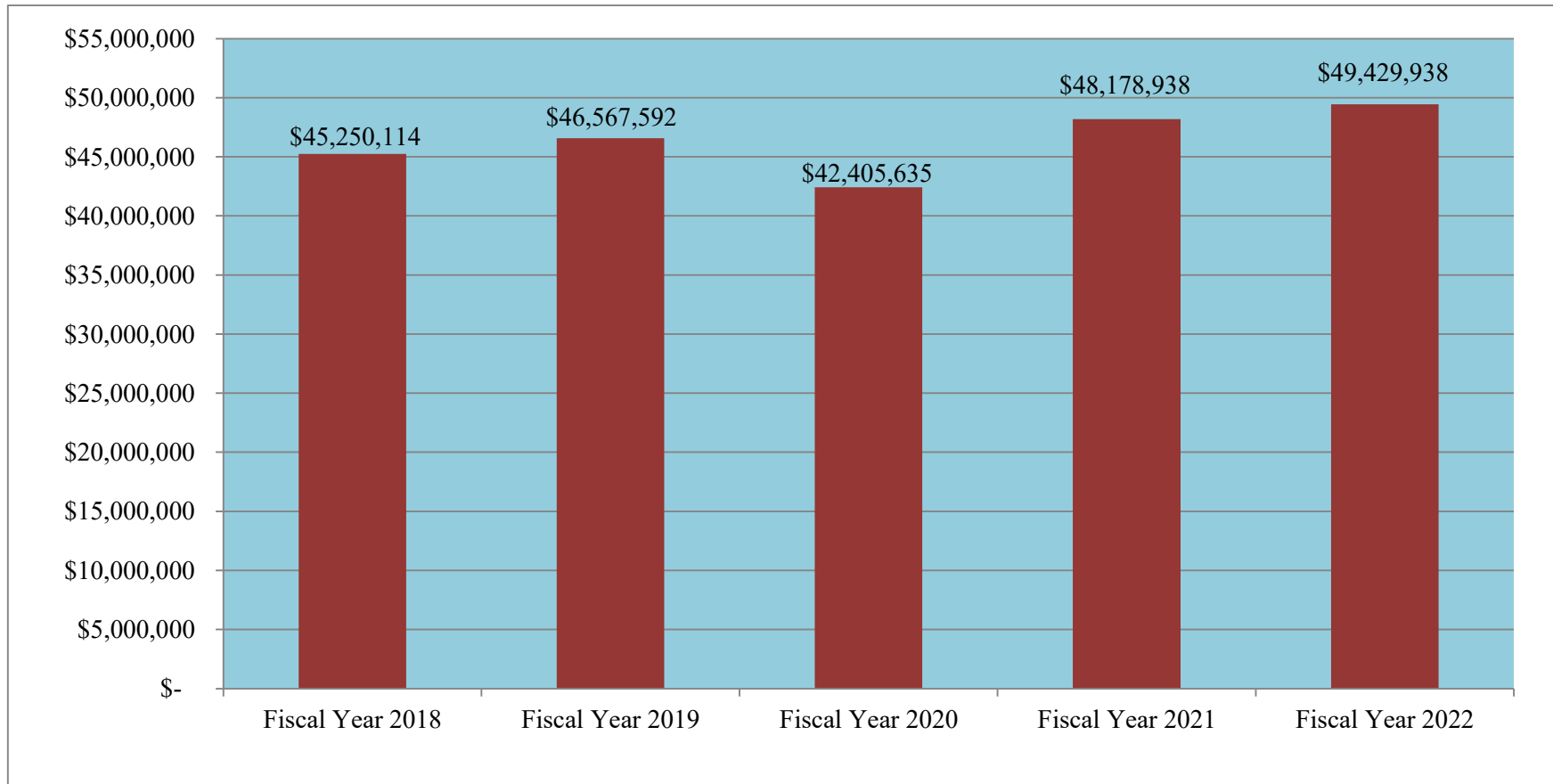
Matt Schochenmaier, CPA  
Audit Manager  
Lincoln, Nebraska

NEBRASKA LOTTERY  
**LOTTERY TICKET SALES**  
For the Fiscal Years 2018 through 2022



Note: These sales are shown on an accrual basis.

NEBRASKA LOTTERY  
**TOTAL OPERATING TRANSFERS TO BENEFICIARY FUNDS**  
For the Fiscal Years 2018 through 2022



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.

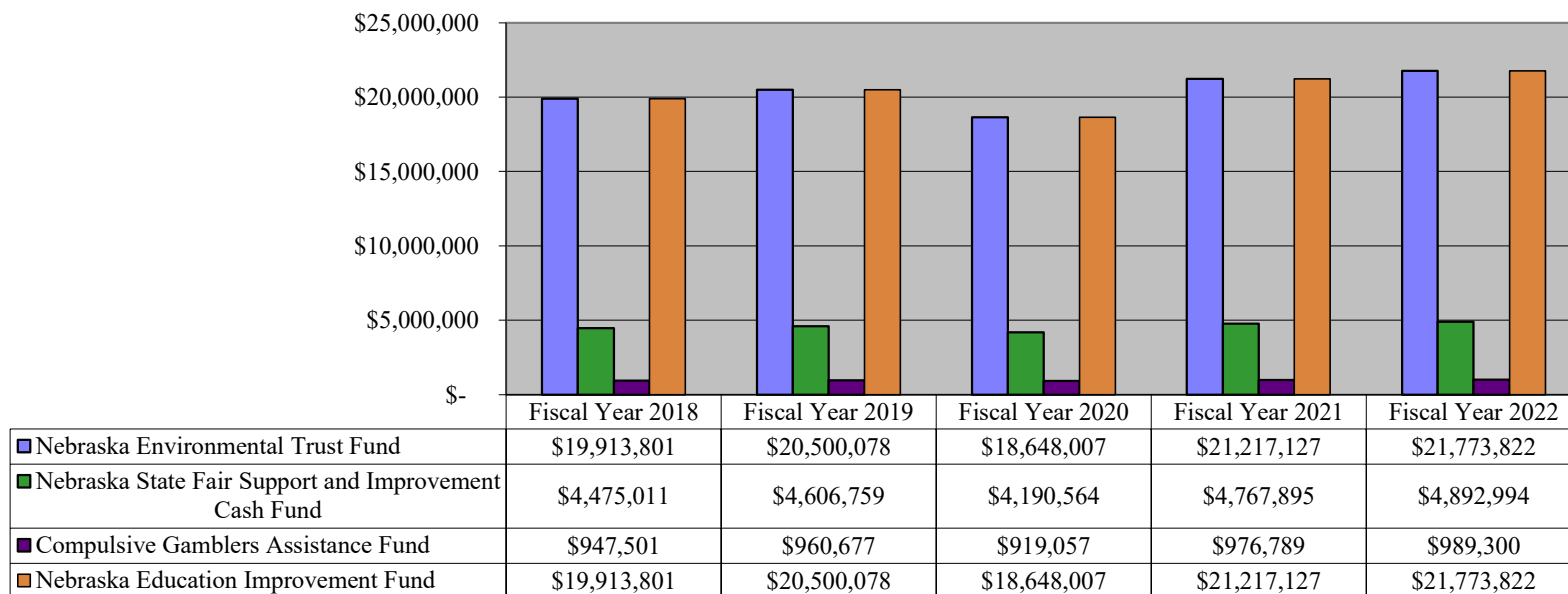
**NEBRASKA LOTTERY**  
**CUMULATIVE OPERATING TRANSFERS**  
**TO BENEFICIARY FUNDS**

For the Fiscal Years 1994 through 2022

| 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      |
| 2022                       | 49,429,938      |
| Total Cumulative Transfers | \$ 880,499,887  |

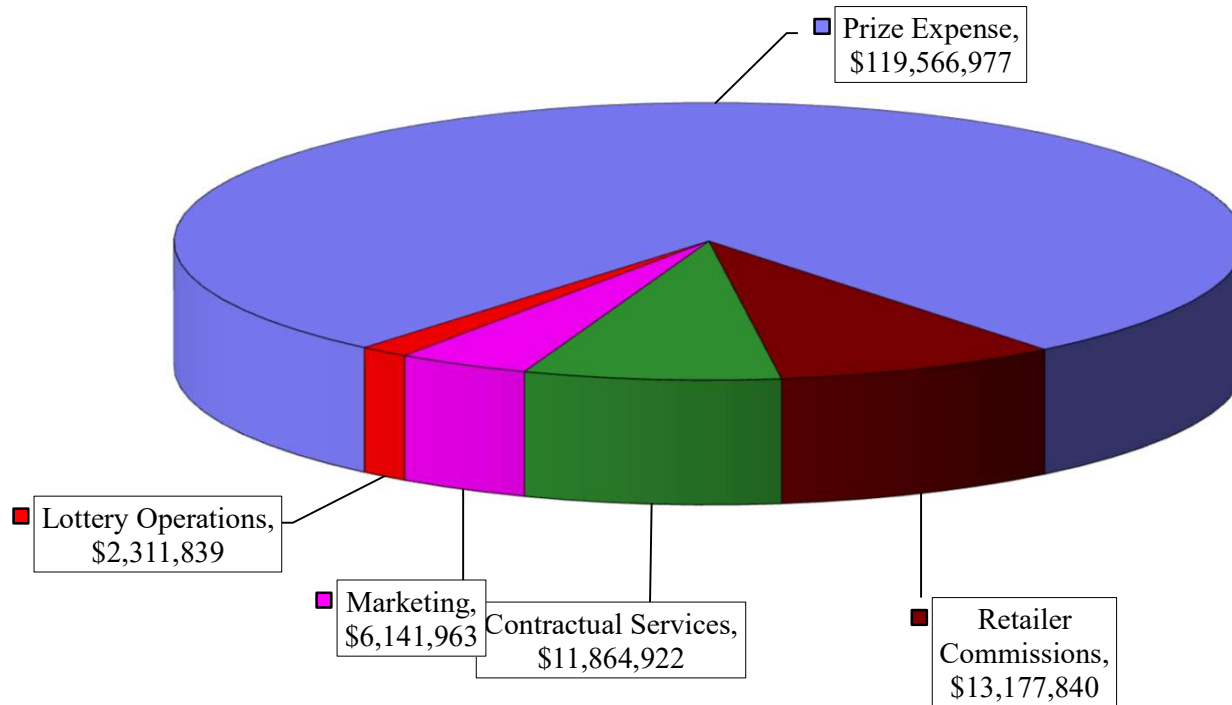
Note: Total Cumulative Transfers includes transfers to the Solid Waste Landfill Closure Fund (final allocation made in July 1997), the Nebraska Environmental Trust Fund, the Education Innovation Fund, the Nebraska Opportunity Grant Fund (beginning October 1, 2003) (LB 956 (2010) changed the Nebraska 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 2018 through 2022



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) Supp. 2021) 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, 2022



**Total Operating Expenses \$153,063,541**

**Breakdown of Expenses**

**Prize Expense:**

|                       |                       |
|-----------------------|-----------------------|
| Instant Prize Expense | \$ 77,933,822         |
| On-Line Prize Expense | \$ 45,399,552         |
| Unclaimed Prizes      | \$ (3,766,397)        |
| <b>Total</b>          | <b>\$ 119,566,977</b> |

**Retailer Commissions:**

|                        |                      |
|------------------------|----------------------|
| Instant Commissions    | \$ 8,239,787         |
| On-line Commissions    | \$ 4,921,535         |
| Misc. Retailer Expense | \$ 16,518            |
| <b>Total</b>           | <b>\$ 13,177,840</b> |

**Contractual Services:**

|                          |                      |
|--------------------------|----------------------|
| Lottery Service Provider | \$ 11,240,654        |
| Other Contractors        | \$ 624,268           |
| <b>Total</b>             | <b>\$ 11,864,922</b> |

**Marketing Expense:**

|                     |                     |
|---------------------|---------------------|
| Advertising Expense | \$ 5,659,758        |
| Promotions Expense  | \$ 482,205          |
| <b>Total</b>        | <b>\$ 6,141,963</b> |

**Lottery Operations:**

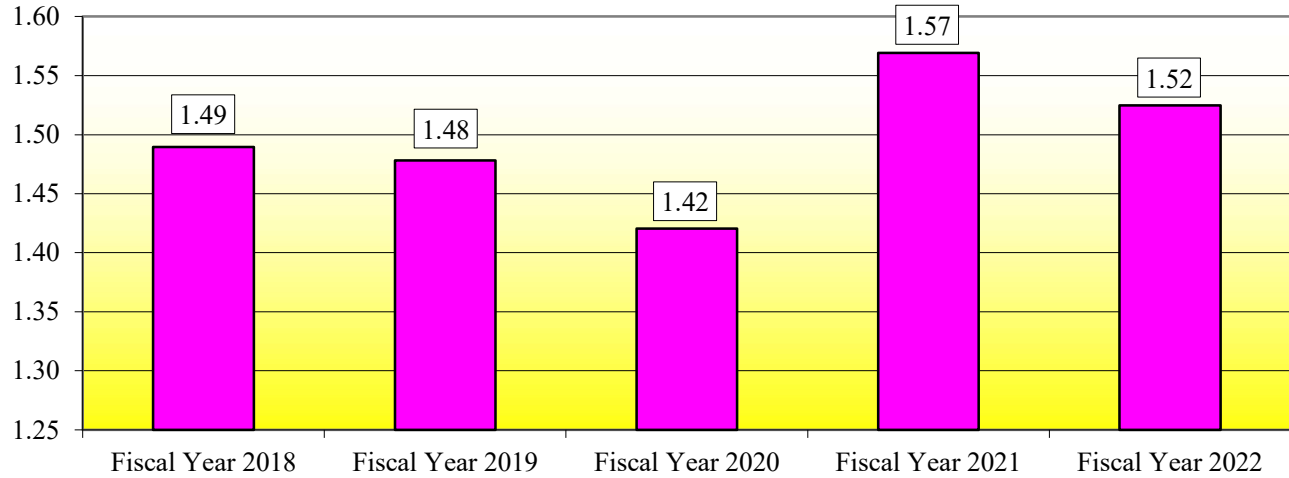
|                         |                     |
|-------------------------|---------------------|
| Payroll Expense         | \$ 1,791,930        |
| Other Operating Expense | \$ 519,909          |
| <b>Total</b>            | <b>\$ 2,311,839</b> |



# NEBRASKA LOTTERY

## CURRENT RATIO

For the Fiscal Years 2018 through 2022

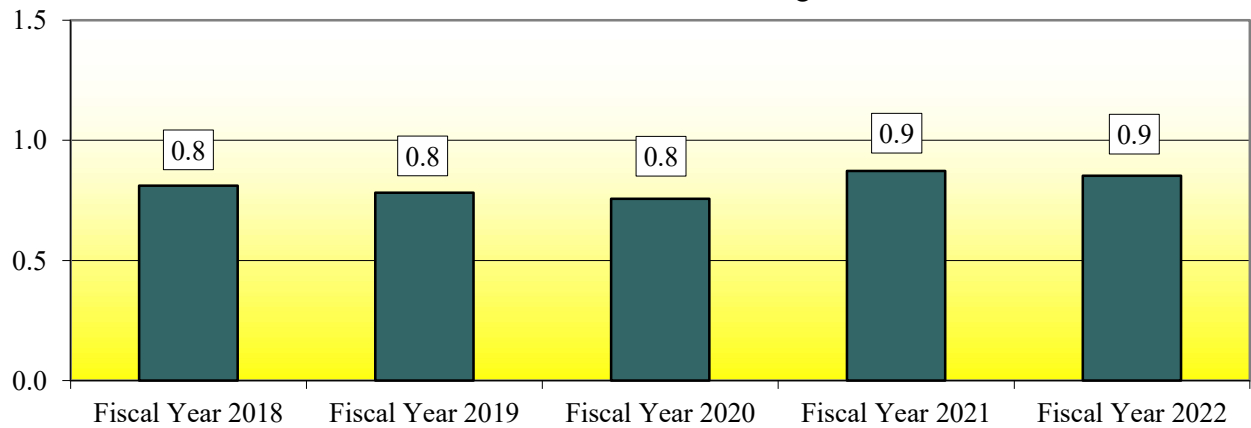


|                     | Fiscal Year<br>2018 | Fiscal Year<br>2019 | Fiscal Year<br>2020 | Fiscal Year<br>2021 | Fiscal Year<br>2022 |
|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Current Assets      | \$ 15,434,712       | \$ 14,238,734       | \$ 16,654,248       | \$ 14,629,109       | \$ 15,968,205       |
| Current Liabilities | \$ 10,361,738       | \$ 9,634,227        | \$ 11,724,702       | \$ 9,322,693        | \$ 10,472,799       |

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 2018 through 2022



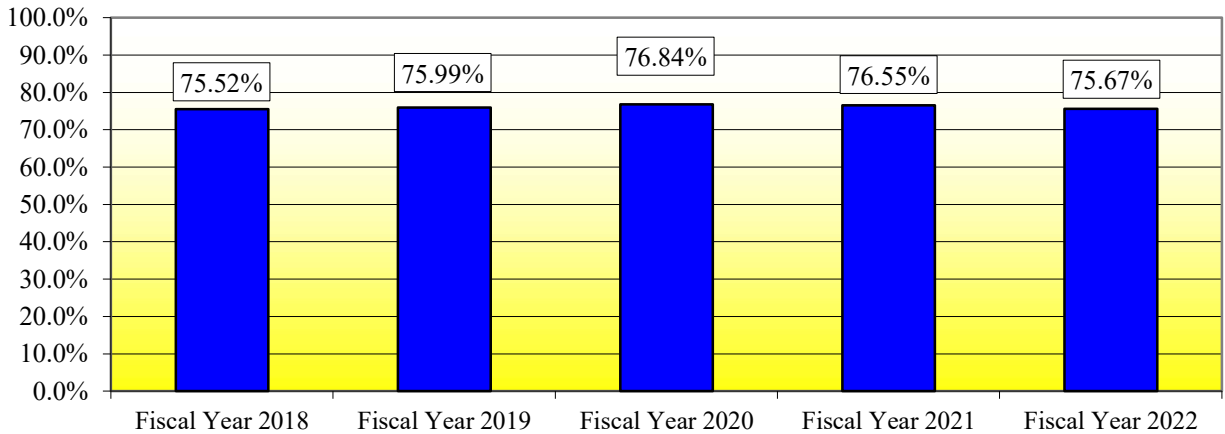
|                         | Fiscal Year<br>2018 | Fiscal Year<br>2019 | Fiscal Year<br>2020 | Fiscal Year<br>2021 | Fiscal Year<br>2022 |
|-------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Cash & Cash Equivalents | \$ 8,408,369        | \$ 7,544,574        | \$ 8,875,150        | \$ 8,131,659        | \$ 8,941,960        |
| Current Liabilities     | \$ 10,361,738       | \$ 9,634,227        | \$ 11,724,702       | \$ 9,322,693        | \$ 10,472,799       |

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 2018 through 2022

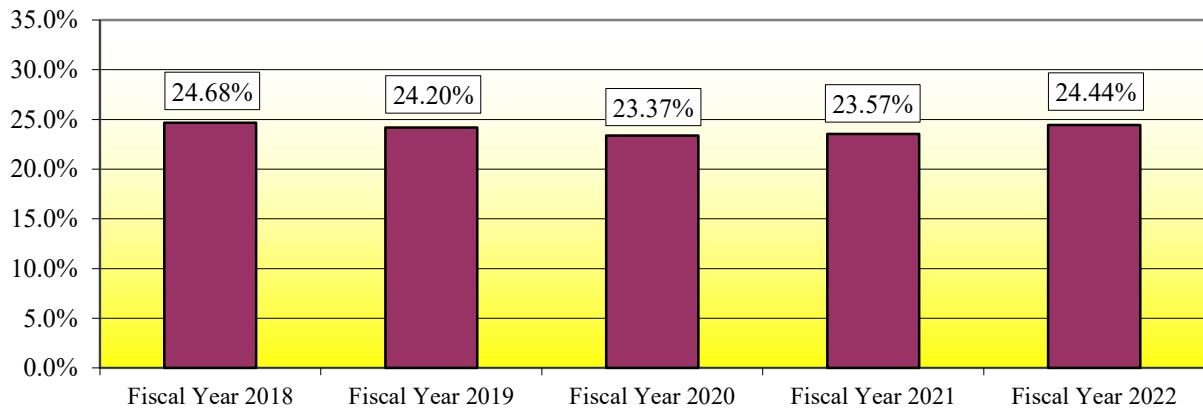


|                         | Fiscal Year<br>2018 | Fiscal Year<br>2019 | Fiscal Year<br>2020 | Fiscal Year<br>2021 | Fiscal Year<br>2022 |
|-------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Total Operating Expense | \$138,483,276       | \$146,030,702       | \$140,676,558       | \$157,146,328       | \$153,063,541       |
| Total Operating Revenue | \$183,368,092       | \$192,181,990       | \$183,075,525       | \$205,282,690       | \$202,265,188       |

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

## NET INCOME BEFORE TRANSFERS COMPARED TO OPERATING REVENUE

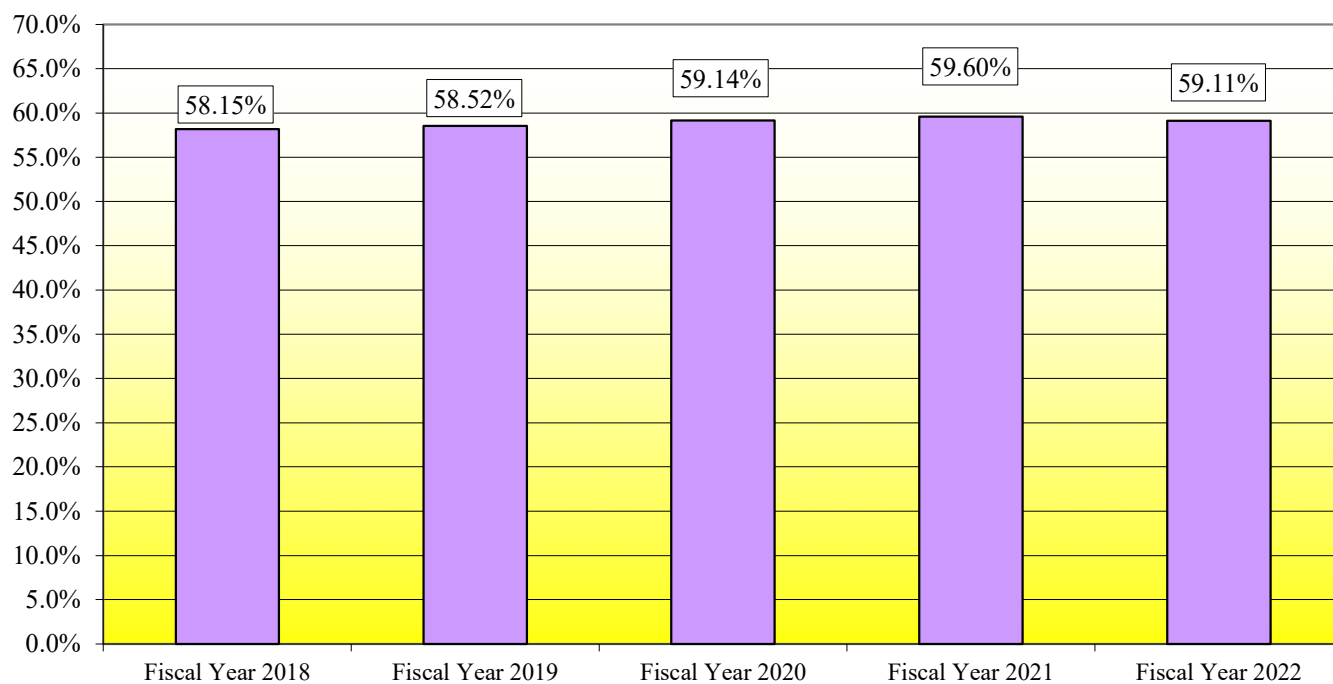
For the Fiscal Years 2018 through 2022



|                             | Fiscal Year<br>2018 | Fiscal Year<br>2019 | Fiscal Year<br>2020 | Fiscal Year<br>2021 | Fiscal Year<br>2022 |
|-----------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Net Income Before Transfers | \$ 45,250,761       | \$ 46,511,618       | \$ 42,790,938       | \$ 48,388,135       | \$ 49,427,727       |
| Total Operating Revenue     | \$183,368,092       | \$192,181,990       | \$183,075,525       | \$205,282,690       | \$202,265,188       |

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 2018 through 2022



|                         | Fiscal Year 2018 | Fiscal Year 2019 | Fiscal Year 2020 | Fiscal Year 2021 | Fiscal Year 2022 |
|-------------------------|------------------|------------------|------------------|------------------|------------------|
| Prize Expense           | \$ 106,634,524   | \$ 112,456,626   | \$ 108,269,685   | \$ 122,341,140   | \$ 119,566,977   |
| Total Operating Revenue | \$ 183,368,092   | \$ 192,181,990   | \$ 183,075,525   | \$ 205,282,690   | \$ 202,265,188   |

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