

April 28, 1975

SENATOR F. LEWIS: Mr. President, I rise to support the Burbach 599. The issue today is not to race or not to race, or to gamble or not to gamble. The issue today is to provide 25 days of alternate site racing in order to meet a long time commitment for a legal statute in the state of Nebraska and I think that it is a reasonable approach and I think that we should move the bill ahead and take care of those commitments that we have made in order to satisfy the bonding companies for racing in Nebraska.

PRESIDENT: Senator Kelly.

SENATOR KELLY: Mr. President, I have a question of Senator Burbach. I don't see anything in this bill, Senator Burbach, that talks about 15 days in Omaha, 10 days in Columbus and I am very interested in what that is all about.

SENATOR BURBACH: Well, Senator Kelly, the grandstand will not be completed in time for the 1976 race meet at the state fairgrounds. In order to issue the revenue bonds so the construction can begin, the state fair must have the proceeds from the 1976 race meet to meet its obligations for the revenue bonds. So this is the decision that the three tracks will compromise on and they have agreed to this and the Racing Commission enters into it, too, and they need to make this approval prior to...I don't know if it is prior to but by May 20th and this is an arrangement they have worked out but we do need this change in the law to do those things that I was just telling you. The bill allows the State Board of Agriculture to contract with Aksarben and Columbus to use their racing facilities to meet its obligation under the financing agreement to construct that new grandstand.

SENATOR KELLY: I thank you very much, Senator Burbach. Reluctantly, I will vote for 599 because, obviously, Lincoln is going to be under the gun on their money but I must state, particularly for the record, that here is another case where a political subdivision, if racetracks are that, or somebody, somewhere has put together a whole agreement of what they are going to do and it is all set completely outside of the statutes, completely against the law, and when this is all organized and all arranged and all ready to go, why then this body has nothing to do but rubber stamp it. Now it would appear to me that if this situation would be reasonable that the statutes would have provided for something of this nature in the future but it seems to me, also, that this statute just runs out. It is one of those self-destruct statutes. So it would appear to me again that we are passing very special legislation for a very special situation and at very most, this is objectionable to me but under this situation I see no out but to vote for it. But it would, also, I think, behoove each of us, individually, that when agencies or departments or other situations come to this Legislature with a rubber stamp that at some time we find out some way to say "no" and I say all of these remarks as a member of the Executive Committee that introduced the bill.

PRESIDENT: Senator Swigart.