

May 2, 1989

LB 591

SENATOR HALL: Okay. Something like a track being unsafe, the inability or the unwillingness, say the jockeys go on strike, I mean, do these things fall under that category or how would they...?

SENATOR SCHMIT: No, I don't think that would be considered as a disaster. There have been times I wished they wouldn't have run a few times, but anyway...

SENATOR HALL: I've had the same problem, Senator Schmit.

SENATOR SCHMIT: But anyway, I think that if the jockeys decided, because a track wasn't safe, Senator, that they couldn't ride, that would not constitute a disaster, no.

SENATOR HALL: And my last point and probably the most important one is, is that could there be determination that because the handle wasn't great enough...

SPEAKER BARRETT: One minute.

SENATOR HALL: ...that they could, in essence, fall within that category at that time from where they chose not to operate?

SENATOR SCHMIT: No, it most certainly is not the intention of myself, I'm sure it's not the intention of any other member of this body nor this Legislature to allow the manager of a track, for example, to say well, the handle is not going to be profitable today, we just won't run. That would not qualify as a disaster.

SENATOR HALL: Thank you very much, Senator Schmit. The point in doing this is just to allow that we don't end up with someone operating basically a theater, that they need to be operating as a full-fledged racetrack, use at least 90 percent of the days that they are given by the commission, operate in that manner and then be able to use simulcasting as a way to supplement the handle. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Further discussion on the motion to suspend the rules, Senator Nelson, followed by Senators Lynch and Schellpeper.

SENATOR NELSON: Mr. Speaker, members of the body, I do