

SENATOR BEUTLER: That's right.

CLERK: Mr. President, the next amendment I have is by Senator Hall.

SENATOR HALL: Mr. Clerk, that was to Senator Beutler's previous amendment and I would ask that that be set aside at this time.

CLERK: Mr. President, Senators Landis, Warner, Schimek, Beutler and Wesely would move to amend. Senator, I now have AM1571 before me.

SENATOR LANDIS: Senator Beutler to open on the amendment.

SENATOR BEUTLER: Senator Landis, members of the Legislature, this is not an amendment to ask any special privilege for Commonwealth depositors but it is an amendment which is about Commonwealth depositors. And when I say it's not asking anything special for Commonwealth depositors I say that because, under the current system of law that we have, the proceeds from the lotteries can be used for almost any purpose, whatever it is that we say subsequently in LB 849 lottery proceeds can be used for, they can be used for. But Commonwealth, the reimbursement of Commonwealth, should you all choose to decide that that was a legitimate use of the proceeds in 849, you could not do that. You could not do that because our Constitution has been narrowly interpreted by a set of judges to say that that's not a legitimate purpose for which to pay out any kind of state funds under our Constitution. And so what we're asking you to do with this amendment is not to do something special for Commonwealth, only to restore them, only to restore them to the place that you and I and the majority of this Legislature thought they were a mere four or five months ago. Four or five months ago you and I were prepared to pay out \$16 million, to pay out another \$16 million, this year to pay out almost \$30 million because by the judgment of the majority of this Legislature that was a legitimate purpose for which we could pay out and should pay out. And I don't think, in a moral sense or in any fair right and wrong sense, that the judgment of this Legislature has changed any. I think you still feel that way. I hope you do. So why should it not be that lottery proceeds could be used for this purpose as well as for any other purpose. It just happens...it just happens in the sequence of events that a lottery proposition is the first proposition coming along with regard to the payment of any kind of state funds. And so what