

Mr. Spire said it would work because they're good folks. And we knew better, we knew better then. I believe we know better now. I will wait with great interest to hear what the rest of the members have to say. But I believe this is not specific and it will not work.

SENATOR LANDIS: Thank you, Senator Schmit. Senator Smith, followed by Senator Schimek.

SENATOR SMITH: The S's have it, huh? Thank you, Mr. President. Members of the body, I have to rise to oppose this amendment. And I would like to ask Senator Beutler a question, if I might. I guess he isn't here. Senator Beutler.

SENATOR LANDIS: Senator Beutler, would you yield to a question from Senator Smith?

SENATOR BEUTLER: You bet.

SENATOR SMITH: Senator Beutler, I just would like to ask you a question about this amendment. Where you have...where it says, "which purposes may include", I guess that what I'm seeing here is when you say "may" it's really permissive anyway so you're not really gaining anything but I think you may be losing something by actually putting this kind of language in the Constitution. This...since it's specific only to this group of people, in my understanding, is that correct?

SENATOR BEUTLER: That's correct.

SENATOR SMITH: Why would you want to put something like this in the Constitution and have it be there for all time or the only other way you would ever have it out is if you had another constitutional amendment to remove it?

SENATOR BEUTLER: Okay. Well, let's hypothesize for a moment, Senator, and say that the language was not there and say that...that this Legislature chose to pay some of the lottery proceeds to the Commonwealth depositors, well, as soon as that happened somebody with a name similar to Hamann in Omaha would file another lawsuit and they would say, you can't pay out those funds because the Constitution has three provisions in it which says you cannot pay them out and we already told you that. So I'm putting this provision in that says, "not withstanding other provisions in the Constitution". This constitutional amendment