

May 7, 1991

LB 849

LR 24

addition to that, it would provide that no lottery game shall be conducted as part of the lottery unless the game has been approved by a majority of the members of the Legislature. That is the extent of the proposal, and I don't know if there is further discussion on it or not. If there is, we will just wait and see what happens. Thank you.

PRESIDENT MOUL: Thank you, Senator Smith. Senator Will.

SENATOR WILL: Thank you, Madam President, members of the body. I rise in support of the advancement of LR 24CA. Just to follow up a little on what Senator Smith said, this is the first part of the two-part lottery proposal that we are discussing today and that was advanced from committee by the General Affairs Committee. This is the amendment to the Constitution that would allow the people to vote and to decide whether they want to give the Legislature the authority to establish a lottery. LB 849, which is immediately following LR 24 on the agenda, is the implementing legislation that would statutorily establish a lottery, and the General Affairs Committee heard both of these measures, and advanced both, the theory being that we would, number one, allow the people to vote whether they would like to have a lottery through the constitutional amendment that we are now discussing and, number two, so that we could put in front of the people at the same time statutory language that would specify the exact type of lottery that they would be voting on. I guess that questions may arise at some point as to why that is the course we took. Obviously, we could simply have advanced the constitutional amendment and said we will have the people vote on it and then come back and pass legislation. On the other hand, it was suggested by several people, including myself, that we didn't need a constitutional amendment at all, that we could simply statutorily establish a lottery and go on and implement one without a vote of the people. In the end, the committee decided that the wisest way to proceed was to do both, essentially, to have a constitutional amendment so we make sure that that is what the people of the State of Nebraska want and, secondly, to have statutory language out there that, number one, will allow the people to know exactly what they are voting on and, just as importantly, number two, would be structured so that it would kick in upon the verification of the vote of the people, so lottery revenues could start to come in, if that is what the people of the state would like to see. The lottery revenues could start to come in without the Legislature having to come back and pass a bill in a subsequent session. So that