

May 13, 1991

LB 849A, 849

SENATOR WARNER: My understanding of the provision in LB 849 that the enabling legislation would become valid upon the State Canvassing Board certifying the election, and I assume that the appropriation would be at the point, also.

SENATOR MOORE: Okay, thank you, Senator Warner.

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

SENATOR SMITH: Thank you, Madam President and members of the body. I stand to strongly support Senator Warner's amendment. The provision in LB 849, which declares really, and I think it is Section 23 of the...or 22 of the bill, that unless the people of the state approve a state lottery, the bill, itself, will not become operative, and I think that that is crucial for people to know that, and that is something that not only we here in here need to know, but also the people of the State of Nebraska, and I think that this just sort of helps to clarify that in the funding of the bill. So I am very strongly supportive of this amendment.

PRESIDENT MOUL: Thank you, Senator Smith. Senator Will, do you want to speak to the amendment?

SENATOR WILL: Thank you, Madam President, members of the body. I rise also in strong support of the Warner amendment. As I had indicated in my opening on the bill, what the Warner amendment says is that the money that is appropriated by LB 849A simply would not be distributed until such time as the constitutional amendment approving a state lottery receives a vote of the people at the ballot. And I think that the Warner amendment is good because the danger that you face otherwise, with an A bill out there for legislation that does not become effective without approval of the people, if you have an A bill out there otherwise, the Department of Revenue may be tempted to begin some implementation steps that would cost some money prior to that approval by the people, and I think that probably that is not something that we want to see happen because, in fact, the people may vote down a lottery at the ballot box. I don't think they are going to, obviously, otherwise I wouldn't be sponsoring the bill, but I think that in order to make sure that we aren't spending money prior to voter approval, the Warner amendment is absolutely appropriate and I would urge your support for it.

PRESIDENT MOUL: Thank you, Senator Will. Does anyone else wish