

May 31, 1991

LB 849
LR 24

is, ultimately, the Legislature that determines what goes into that through the appropriations process and then the process on the floor. What I do with this amendment is say that this is within the Legislature's prerogative, and that is where it belongs, that it is not a slush fund for the Governor. It is not a slush fund for any department of government, that is it is not to be determined by anyone but individuals who are directly responsible to the people of this state, and who, frankly, have the responsibility for spending the taxpayers money when it relates to the General Fund, and the budget of the State of Nebraska. The other thing we do here is say that there really is no limit as to what we can spend the money on. It is a issue that clearly I hope there is some debate on. It is as we see fit, and I guess the exact language is "for any other purposes approved by a majority of the members of the Legislature." So it take 25 votes. We determine what we are going to spend it on, and then we go about getting the votes annually dealing with the lottery on a year-by-year basis. I am sure that there will be opposition as it relates to the issue of education. The lottery was meant to be an education fund. I offered the amendment on LB 849, I guess it is, that deals with the issue of dividing the monies into two separate funds. What this amendment would do is, to the constitutional amendment, is allow through the Legislature to have total control over those dollars and determine on a case by case annual basis how much money should go to whatever worthy cause we may see fit. And it says that the, frankly, the areas of the Constitution, Article I, III, and XIII do not tie the hands of the Legislature in making those decisions. With that, Mr. Speaker, I would urge adoption of the amendment to the constitutional amendment before us.

SPEAKER BAACK: Thank you, Senator Hall. Senator Smith.

SENATOR SMITH: Thank you, Mr. Speaker. Senator Hall, not having had time to read through this very well, but standing here talking with legal counsel, on page 2, would you have any problem, since we just defined the difference between what we call a variation versus a type of game, you know, in that last amendment that I had. Would you have any problem, since you say on line 3 starting there, no type of lottery game shall be conducted as part of the state lottery unless the type of game or that type of game has been approved, just so that we keep it consistent with what...

SENATOR HALL: Not at all. I would have no objection.