

the Smith amendment?

SENATOR ROBINSON: Mr. Speaker and members of the body, may I ask you a question, Senator Smith?

SPEAKER BAACK: Senator Smith, would you respond, please.

SENATOR SMITH: Be glad to.

SENATOR ROBINSON: Okay, a vote for your amendment does what as far as reimbursing the Commonwealth depositors is concerned?

SENATOR SMITH: This is going to sound strange but it removes the language that would remove the prohibition in the Constitution so that they could reimburse them. And my concern is that you put it in the Constitution, in other words, you're removing the prohibition for that kind of thing and this is just one thing that you would be able to do. Is that...does that make sense to you?

SENATOR ROBINSON: Okay. Not really, but, okay. Okay, say we vote down your amendment. Senator Hall, may I ask you a question?

SENATOR HALL: Absolutely.

SENATOR ROBINSON: If we vote down Senator Smith's amendment...

SENATOR HALL: Yes.

SENATOR ROBINSON: ...then how...how does your amendment fit in with reimbursing the Commonwealth depositors?

SENATOR HALL: All it does is this, Senator Robinson, it says that it would basically take the three sections of the Constitution that the court has pointed out as areas that cause problems with reimbursing the depositors and it would say they don't apply when it's lottery funds that are in this separate, segregated account.

SENATOR ROBINSON: Okay.

SENATOR HALL: But only if 25 or more members of the Legislature agree to that. It says, in other words, the Legislature can spend the lottery proceeds in this separate fund any way they