

raised through sales and income. There is a very, very big difference. Senator Kristensen's comments relate to sales and income tax receipts, and that is why those provisions are in the Constitution. But this is a separate and new fund that is raised through lottery money, something that we currently don't raise dollars from in this state. We have the ability. We have the need, it appears, to put this provision in the Constitution, as it relates to allowing individuals to choose whether or not they would like to have a lottery in this state, and we have chosen to go the route of a constitutional amendment. There is nothing wrong with putting in that constitutional amendment the parameters with which the Legislature must live, even if they be open-ended, in terms of how that money be spent. And it says, the Legislature may. I mean it is not a mandatory provision with regard to the purposes of spending the money. We could, under this provision, put the money into the General Fund, if we chose to. We could, if we chose to, put it into capital construction projects. We could, if we chose to, put it into a number of worthwhile causes, one of them being, with a majority of the members, reimbursement of the Commonwealth depositors. That is all we could do. I can't believe that it would lead to mischief, and I don't know what that is, but...and I guess it would be a shame if the Legislature felt a little compassion on some issues and decided to expend some money for once. But that is what this amendment would do, and if you allow Senator Smith to strip that from the proposal, you take away the ability for the Legislature to look at those types of expenditures. We have all had proposals that we have looked at and thought, well, we can't do that, or the Attorney General has said that is constitutionally suspect, or the courts have flat-out said it is unconstitutional because of special legislation or lending of the credit of the state. Well, we are not lending the credit of the state. We are taking specific dollars from the segregated fund that is raised through gambling and we are saying, we are going to let the Legislature, after the people approve it...remember, this has to be voted on by the people at a ballot issue. After they approve it, we are going to let the Legislature decide what to do with the money, only in this very narrow area, and that is all. It doesn't effect these three provisions of the Constitution as they relate to state tax dollars. That change isn't made there. There is no ability for mischief as the Constitution originally was drafted to provide for a protection as it relates to state tax dollars. In this case, all we do is we say lottery proceeds are a different animal. We are going to treat them differently, and we are