

will be the last time that Commonwealth comes before you until there is a decision by the people. The courts have rejected this claim. This Legislature accepted it at one point in time, has rejected it at other points in time. What this amendment would do would be to put this question of the reimbursement of the Commonwealth and American Savings and State Securities depositors directly before the people in the form of a proposed constitutional amendment. It reads, briefly, "If the Legislature establishes a lottery operated and regulated by the state pursuant to this Constitution, the Legislature may use the proceeds or a portion of the proceeds from such lottery to compensate depositors of industrial loan and investment companies for unreimbursed losses of guaranteed deposits held by industrial loan and investment companies, which filed for bankruptcy or entered receivership after November 1, 1983, notwithstanding any other provision of this Constitution." So what we are doing is finally going to the people and saying the Constitution, as interpreted by the judges, at least, says we can't do this. We want you to make the final decision, and this is being framed in such a way that it is not, it is not part of the proposition for the state lottery. It will be inserted into this bill, LR 24, but it will appear on the ballot as a completely separate constitutional proposition. And so the people will vote on the state lottery and then they will go on and in a separate place on their ballot will vote on the use of the lottery proceeds by the depositors of failed institutions. These people, these people who are very good people, who have worked hard all their lives and have lost, many of them, what amounts to their life's savings, have suffered through many traumas over the years, which I need not repeat and which most of you, I think, are aware of. And now, finally, all we are asking is that you allow their case to be taken directly to the people. I would ask your adoption of the amendment.

PRESIDENT MOUL: Thank you, Senator Beutler. The speaking order is Senator Smith, Wesely, Will, Withem, Schellpeper, Landis, Warner, and Crosby. Senator Smith.

SENATOR SMITH: Thank you, Madam President, members of the body. I have to stand to oppose this amendment. This is, basically, the amendment that was offered on General File, and I know you are saying, well, what would work? And that is the sad part of it. I don't believe that this can or should work in the Constitution of Nebraska. That is the problem. I don't think we should put this issue in the Constitution. And I will say