

The reason I asked for a machine vote on adjournment was I thought that we could maybe slide through a couple of the amendments on 849. I'm under no illusion that we'll reach a final vote on it tonight, but I certainly will defer to the will of the body down the line as we go on that. On this specific amendment, I understand the argument. I voted for this amendment on the keno bill. My one note of caution on it, I probably will vote for it again on this bill, my one note of caution on it is that I think there is maybe some constitutional question about it. I think Senator Smith raised that issue on the keno bill and I think it deals with the use of public funds for private purposes. I don't have a problem because I understand the argument that a state lottery takes away the gambling dollar from thoroughbred horse racing, but I guess my note of caution would be that I know that there's an amendment down the line that would insert a reverse severability clause in LB 849 which would say that if any part of the act is unconstitutional the entire act is unconstitutional so it's with a bit of trepidation that I speak in favor of this amendment. Thank you.

SENATOR CONWAY: Thank you, Senator Will. Senator Wesely, please.

SENATOR WESELY: Mr. President and members, I rise in opposition to the amendment. The horse racing industry first started as a tax revenue gainer for the state and for activities we ended up reducing the tax load five, six years ago to a point where they're really not raising revenue any longer. They're tax exempt to a large degree. Now we're turning around and giving them subsidies. The trend isn't particularly good. We go from revenue-raiser to revenue-loser, and one in which we need to send subsidies. I know that there's a good reason here, but I just think it's time to say no when you cross that line and start saying we've given the exemptions. They're not paying the taxes at the track very much any more. I don't think we need to turn around and start subsidizing, going in that direction now. It's the reverse of where we should be and I'd oppose this.

SENATOR CONWAY: Thank you, Senator Wesely. Senator Moore, please.

SENATOR MOORE: Like Senator Wesely, I reluctantly rise to oppose the amendment. Support of horse racing industry, but I guess the consistent school of thought I've had on lottery