

tube for alcohol production that was built before the bill was passed, and another 3 million going down, too. That is \$6 million. Try to get \$6 million appropriated off this floor today for the Commonwealth depositors, you wouldn't get 10 votes, but you give that to an institution, and entity, which doesn't need it, doesn't deserve it, and is doing nothing for it. I can get angry also, Senator Smith. I choose not to if I can avoid it because once you get angry on this floor, your opponents take control. But whatever you do, whoever you are, no matter how skillful you are, how gifted, how eloquent, how articulate, do not try to place the Commonwealth depositors in the position of being the bad people. I want to ask Senator Landis a question relative to what happens, Senator Landis, if the first part of the amendment passes? If the lottery proposal passes, and the portion that says that you will reimburse the depositors fails, would that, in your opinion, mean that the money could not, in any way, be used for the reimbursement of Commonwealth depositors, do you have any idea on that?

SENATOR LANDIS: On the lottery money?

SENATOR SCHMIT: Yes.

SENATOR LANDIS: Yes, I think the net effect would be to foreclose...in a challenge, I think the definition would be that the people had rejected the use of lottery money for Commonwealth purposes. Given the Supreme Court opinion without the kind of language that is in that amendment, notwithstanding any other provision of the Constitution, I am not sure there...other than perhaps the tort claim mechanism that you have championed, that there is any other single way to pay depositors left.

PRESIDENT MOUL: One minute.

SENATOR LANDIS: That is the magic phrase, and if that is not...if that phrase doesn't appear in other than the tort claim, there is no other way to pay depositors that I know of.

SENATOR SCHMIT: Thank you, Senator Landis. I just want to say this. I have disagreed many times on the floor with members of the Lincoln delegation over various issues. I don't think I have ever disagreed with them on the issue of repayment of the depositors of these institutions. I know it appears that they are being somewhat over persistent in this area, and it wears