

January 9, 1992 LB 718

within a licensed race track enclosure, precluded the Legislature from enacting legislation authorizing off-track betting, we are compelled to conclude the provisions of LB 718, as amended, if challenged would be found unconstitutional. I think, with that, we have enough problems with laws on the books today that have been deemed unconstitutional and I would hope that the body would see fit to defeat this legislation. I cannot see where it will help the racing industry at all. It may help the larger track or it may help Ak-Sar-Ben, but it certainly is not deemed to be beneficial at all to the smaller tracks or to the tracks outstate and, with that, I can see no reason for putting another law on the book that are...that is unconstitutional and, again, we are simply just...

PRESIDENT MOUL: One minute.

SENATOR NELSON: ...making betting too easy simply by going to the telephone almost and being able to bet. Thank you.

PRESIDENT MOUL: Thank you, Senator Nelson. Senator Robinson.

SENATOR ROBINSON: Madam President and members of the body, I'd like to ask Senator Schmit a couple of questions.

SENATOR SCHMIT: I yield, Senator Robinson.

SENATOR ROBINSON: Is there a limitation to how many off-track betting facilities there would be?

SENATOR SCHMIT: That would be determined I believe, and I've not checked with Senator Schellpeper, but I believe that would be determined by the Racing Commission.

SENATOR ROBINSON: But do we have any idea at all how many there would be?

SENATOR SCHMIT: I don't...

SENATOR ROBINSON: Not really, huh?

SENATOR SCHMIT: No, we don't really.

SENATOR ROBINSON: How about...you're talking about oversight of the breeders and everyone. How about in an incorporated town? Would they...could they say, we don't want this type of a