

regulate what type of people walk into a keno lounge or a bingo parlor. I don't know how you set standards as to what kind of people can play and which ones cannot. That's just a situation that we'll have to run the risk of letting somebody who maybe should not be playing play, but that's a judgment of the person itself. But I guess this is just something I see as recognizing...using technology in a way to draw more interest to the thoroughbred horse racing structure we have in Nebraska and I would like to see the bill advanced.

PRESIDENT MOUL: Thank you, Senator Johnson. Senator Will.

SENATOR WILL: Thank you, Madam President, members of the body. I rise in support of the advancement of LB 718 to E & R Initial for many of the same reasons you've heard enunciated by Senator Schmit and Senator Johnson. I think in addressing the constitutionality of the bill, I don't think it's clear-cut at all that this is a constitutional violation. I think a very real question exists as to whether this does not fit within the parameters of the constitution. I think in all probability it does. There's a fundamental difference between the types of wagering that are allowed in 718 with the committee amendment and what we think of as off-track betting. This is not the case in LB 718 that an individual's making a bet at a parlor that another individual is running to the track and not actually making the bet until that point. This, in fact, when you talk about the telewagering that is allowed in LB 718 as currently structured, this is a bet that's being made, it is at a remote facility but it's at a facility that is directly connected to the track. In essence, that is an arm of the track where the individual's making the bet. The bet is recorded instantly at the track. In essence, it is made at the track. I think simply because that facility is remote does not mean that the individual is not betting at the track because the bet is translated instantly. In fact, that's the term...the exact terminology that's used in the bill. So I think if you broadly interpret the definition of what a track is there's no question that this falls underneath what is permissible under our constitution. I think beyond that the need for...to take advantage of the new technologies is apparent. I think...I don't know where horse racing would be in Nebraska right now without simulcasting, but given the fact that it's not in the best of shape right now I think if we didn't have simulcasting it might be dead on arrival. So, with that, I would argue that LB 718 is a needed contribution to the racing industry and I