

SENATOR WILL: No, only that they shall consider these things.

SENATOR CHAMBERS: So, why have them consider these things, if they're not determinative of the decision that has to be made?

SENATOR WILL: I think that they...that this is more intent language than anything else, simply stating that as the legislature passes this piece of legislation that these are things that we, as the Legislature, deem important. And because of that, we are directing the commission to consider them as they make decisions about potential operators.

SENATOR CHAMBERS: Okay. Now, let's say they...whatever the word consider means, because I don't think you gave me an answer on that yet. But let's say that they considered whether or not this agreement would tend to promote and encourage agriculture, and they say, well it won't. If they make that determination, does there...is there anything in this law that says they cannot approve of the agreement?

SENATOR WILL: Technically, under the bill, no, it simply says that they shall consider it.

SENATOR CHAMBERS: All right, and they consider whether it will encourage horse breeding, and they say, no, so they considered that, too.

SENATOR WILL: Yes.

SENATOR CHAMBERS: And it doesn't.

SENATOR WILL: Right.

SENATOR CHAMBERS: Okay. And then horse racing and parimutuel wagering industries, well we don't really think it does that. They've done what the law requires, haven't they, by considering it.

SENATOR WILL: Certainly, they have adhered to the letter of the law.

SENATOR CHAMBERS: And that...so there's nothing that really requires them to act on the basis of any of these things that are listed in the bill.