

Smith.

SENATOR MOORE: Mr. President, I don't disagree with Senator Warner, surely it is not my intention to deal with the debt service. I would agree that this money should not be used for retirement of debt service. My concern, though, as it is written, written very literally, and once again we are dealing with the Constitution, some little interpretations where we have gotten a dose of in recent years with that, I think you need to write it to reflect what we want to do there. I don't have a problem with what Senator Warner is mentioning. As a matter of fact, I agree with him. I do not think this money should be used like MRF funds were, should not be used like cigarette tax when we bond for five or six years. I certainly do not think, it is not my intent with this amendment to restore the ability to do that. My intent by striking that second part of the sentence is just to assure that we can, indeed, appropriate this money like we do any other appropriation in this body. When we have a biennial appropriation, we have the ability to appropriate for that '91-92 fiscal year, and '92-93 fiscal year. My concern, reading very literally, is the only way you can appropriate the lottery money, the way it is written right here, is through a deficit appropriation. That is the only way you have got the constitutional authority to do it. And if we need better language, I'd certainly be willing to withdraw the amendment, if somebody would come up with some better language. But, for the time being, I guess I'd continue to push for my amendment, and if people are wondering how this would all work, and maybe, Senator Hall, I am going to lay something out to you, if you disagree, just tell me. But to begin with, if you did not adopt this amendment, I guess my assumption would be that the way that it would work, the Legislature every year would have to possibly be in the budget package or however we chose to do it. I guess, but if it was in the budget package, we have a package of budget bills, and one of those every year would have to be the lottery bill on how we are going to spend the money.

SENATOR HALL: Captain, may I?

SENATOR LANDIS: Yes, you may, Senator Hall.

SENATOR HALL: Yes.

SENATOR MOORE: And then, what this, what this, if you adopt my amendment and strike the word "annually", theoretically, if you