

operations by making their games part of the state lottery. Since the Legislature will have control over what games are part of the state lottery, it would be simple to eliminate local lotteries by simply making their games part of the state program. For better or for worse, local lotteries now provide an important source of revenue for cities and counties operating lotteries. Recognizing that fact, we should make sure that we protect that source of revenue by this amendment. Some of the things this amendment does not do, it does not provide independent constitutional authority for local lotteries, references specifically made to current constitutional language which has been used to authorize local lotteries. This new language does not require the Legislature to authorize local lotteries. The second thing it does not do is require the Legislature to continue local lotteries. It merely states that if local lotteries have been authorized by the Legislature, they must have one or more games set aside for their exclusive use. Thus if the Legislature sets aside keno as a local game, the state lottery could not include a keno game. But if the Legislature repealed all statutes on city and county lotteries, there would be no limit on what games could be part of the state lottery at a later time. Three, it does not require the Legislature to authorize any particular game for city or county lotteries. The Legislature could still decide that it wanted keno to be part of the state lottery but if the statutes continue to provide the authority for cities and county lotteries, the Legislature would have to provide a substitute game for the exclusive use of these lotteries. This amendment provides a reasonable measure of protection for city and county lotteries. The Legislature will have the ultimate authority in all matters. It's hands are not tied but it could not use the simplest and easiest method of putting local lotteries out of business, that of making local games part of the state lotteries and pushing the local games out of business. It would prevent that course of action. This is the language that Senator Hartnett had for his introduction of the amendment and it's open for your consideration at this point in time. Thank you.

PRESIDENT MOUL: Thank you, Senator Smith. I will now recognize senators wishing to speak to the Smith amendment. Senator Will.

SENATOR WILL: Thank you, Madam President, members of the body, I rise to oppose the Smith amendment that is actually the Hartnett amendment. This is an amendment that would constitutionally guarantee that we set aside a game for use by