

into law here. We would be allowing dice games and roulette wheels. Said it right that time. And I guess that I would say that I can't imagine that any other community or any operator across the State of Nebraska would be supportive of this. And I would just again stress and more strongly now than I did the last time, I don't believe that this could be considered to be constitutional. The courts don't allow separate classifications like this. There would be lack of equal protection here for all the businesses that we're talking about, Senator Schmit, and that's why I don't believe that it could be constitutional. We couldn't do this on a permanent basis. That's my belief anyway. I realize this business man is going to have, you know, a loss because of the equipment and that sort of thing but, unfortunately, this has to happen if we're going to make this be consistent for all operators in all communities across the state. So, for that reason, I can't support the amendment.

PRESIDENT: Thank you. Senator Schmit, would you like to close, please, on your amendment.

SENATOR SCHMIT: Well, Mr. President and members, please do not vote against this amendment...because you don't think...

PRESIDENT: Senator Schmit. Senator Schmit. (Gavel.) Can we have it a little quieter so we can hear the speakers, please. Thank you.

SENATOR SCHMIT: ...thank you...it is constitutional. Go back about almost 20 years to the time that the State of Nebraska grandfathered in what were existing multibank holding companies. Norwest Bank system was allowed to continue to operate. Nebraska bankers became incensed that this was going to destroy banking. Took 20 years before we finally turned it around, or 25, but for a period of time Nebraska bankers were successful in saying, well, we can't have any more multibank holding companies but we did grandfather in the existing ones. Senator Smith, just one quick question because I don't want to run out of time. But was this operation legal at the time it was established? You would assume it was. Mr. President and members, I think that one small operation, as described by Mr. Hartnett, Senator Hartnett, is not going to seriously impugn the integrity of the grandiose lottery system of the State of Nebraska. It certainly has not caused any problems so far. I don't think it will. It's a small operation. What we're doing is we're saying that in this instance because this happened to be a small operator,