

by the Gaming Commission. Would that be what you would believe would be the proper...

SENATOR MAURSTAD: That's what I would hope.

SENATOR WILL: That's what...that...and I would agree with you, I would agree with you.

SENATOR MAURSTAD: I'm just trying to iron out that that's what this indicates.

SENATOR WILL: And I think it does, but I appreciate your concern because of the regulate language on page 3. So that's something that hopefully, if we can't straighten out by debate, perhaps we can with a clarifying amendment at some other stage. But I appreciate your concerns. I again would rise in support of the Schellpeper amendment to the committee amendments. I think whenever we debate an amendment to the constitution there are always some members of the Legislature that feel that we are putting too much in the constitution, as with respect to the concerns that have been expressed about setting out the Gaming Commission in the constitution. There are others, like Senator Schrock, that think maybe we don't have enough in the constitutional amendment, that it needs to be more specific. In general terms when we amend the constitution I think we need to bear in mind that it is a document of general policy, for the most part, and that getting too specific with respect to numbers of sites, or types of locations, or things like that are simply not proper things to be put in the constitution. They are things that should be dealt with statutorily. And that is why the authorization for gaming that you find on page 3 of the amendment, in subsection (5), is general. In fact it's probably more specific than I would like, because it lists specific types of gaming activities.

SPEAKER WITHEM: One minute.

SENATOR WILL: There is another constitutional amendment that I had introduced that would just give general authority to the Legislature to legalize gaming, as determined by the Legislature. But I think Senator Schellpeper has realized in this amendment that it probably helps to list out specifically the types of games that we would be talking about. And I think that would make it clear to the voters exactly what they are