

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 4, 2003 LR 11

people who have all the questions that all of you are having here today have some answers before they are asked to vote on that ballot issue. And so there is some legal...

SENATOR RAIKES: Let me interrupt you...

SENATOR SCHIMEK: Okay, I'm sorry.

SENATOR RAIKES: ...right there, if I might, Senator,...

SENATOR SCHIMEK: Okay.

SENATOR RAIKES: ...because I just want to make sure I understand what you've said. Normally you would have a constitutional amendment, and then following the constitutional amendment, the normal procedure would be you would enact enabling legislation to allow that amendment to be implemented. And you're suggesting the reverse of that? You're suggesting that we would pass enabling legislation before we had passed the constitutional amendment?

SENATOR SCHIMEK: Yes. If I may, the...what we...we could do it one of two ways. In the lottery, with the lottery, we did this. We passed enabling legislation. Once the constitutional amendment passed, we met in January and repassed it exactly as it had been. Now there is some legal opinion out there that you don't even need to come back and repass that. So either way, it would still be before the voters before they voted on the constitutional amendment, but I think it would be good to have it and ready to put in place.

SENATOR RAIKES: Okay, so would the Governor negotiate a compact with the reservations before the amendment has passed, too?

SENATOR SCHIMEK: No.

SENATOR RAIKES: And why would that be?

SENATOR SCHIMEK: It wouldn't be legal because we wouldn't have opened up Class III gaming yet.