

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

April 23, 2003 LB 759

SPEAKER BROMM: Thank you, Senator Schimek. Senator Chambers.

SENATOR CHAMBERS: Mr. President, Mr. Speaker, I am sorry, members of the Legislature, we are dealing with adults. We are adults and we're doing something which is appropriate for a Legislature to do. A newspaper can be as self-righteous, as hypocritical as it chooses to be. It is a for-profit operation and they will do anything to get profit. They will print headlines that are lurid, that are misleading, that sensationalize something which is not sensational at all, if you read the article over which the headline is written. But they can do that. They don't have the restrictions on them that broadcasters have because they are not using the airwaves which belong to the public and, therefore, those who are given a license to use them have to submit to certain restrictions and limitations. Commercial speech can be regulated far more stringently than ordinary speech. We're dealing here not even with commercial speech, as such. We're dealing with conduct. We're dealing with an activity which is illegal. In years past, I have offered legislation to legalize sports betting. Naturally, the World-Herald would be against such a terrible thing. Yet they have a column known as the "Latest Line" and they like to say that this was a part of news presentation. But that Latest Line column could serve the purpose only of assisting in gambling, if you're realistic, because no athletic events are scored by half points. So if they say that Nebraska is favored over a particular school by 30.5 points, the only purpose of that half point is to gamble. The World-Herald would not want that kind of advertising to be prohibited even though the activity it was associated with, not only was illegal, but the World-Herald wanted to keep it that way. Whatever the reason behind this tax, the tax is a good. We don't look at motivation very often when we're taxing. We look at the generation of revenue. This is a time when we need all of the revenue that we can scrape up. So I hope that Senator Janssen's offer will be taken as seriously as he intends it to be taken. I am very serious about my support and that's why I gave my rationale for supporting it, and the argument that I think could be made successfully as to why it is legal, it is constitutional. Thank you, Mr. Speaker.