

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

February 4, 2004 LR 14

SENATOR SCHIMEK: Yes, thank you, Mr. President and members. I think I should put in a disclaimer, too, Senator Jensen. I, too, respect the senator and consider him a friend. In fact, he used to sit right next to me and we established a good relationship. We shared cookies, yes. But on this one I respectfully disagree with the senator, and Senator Janssen said it very well, that if we overrule the Chair on this amendment, then every bill on this floor Ois going to be subject to challenge on the germaneness of an amendment. I would like to say that this issue has been vetted for four years. It has been introduced. I mean the general overall issue of gaming in Nebraska has had numerous bills introduced and heard by the General Affairs Committee. This body has discussed this issue endlessly. What I think we're trying to do here on an ongoing basis is find the right fit for everybody in this body, and I, yes, the Indian gaming part of it is left out in this amendment, but it isn't left out. And I have had a conference call with the tribes. We've sent them the language of the bill. They are fully aware of what we are doing on this and they concur that they are not left out of the process. I don't think you'll find any problem from them on this. The Legislature still has oversight in both of these approaches. It...the Legislature or the...both the amendment and the bill talk about the number of casinos. The one thing that we take out is the revenue allocation which, upon further reflection and conversations on this floor last year, lead me to believe that we don't want to put that in the constitution. And, in fact, if you follow what's happening in other states, the Legislatures and those who are in the gaming business in those states are reevaluating some of their formulas for taxation in those states, and that's true not only with the regular gaming that's going on but also the Indian gaming that's going on. So it would probably be a very big mistake for us to put that in the constitution. We included it in last year's bill to give the body a chance to discuss revenues. It doesn't mean we can't take it out. It doesn't mean we change the germaneness of the bill if we do. It simply means that we've had the discussion and we decided to take it out. The definition of "gaming" is still in there. Frankly, this amendment is broader in some respects, but it's also narrower in other respects, and I believe that at least to some