

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

February 4, 2004 LR 14

striking after subset (b), "Nothing in the Constitution of Nebraska shall be construed to prohibit or restrict casino gaming as authorized by the Legislature at up to eight casino locations." So we'll strike that sentence. And after the word...or on line 24, strike "such" and insert "eight." Senator Schimek and I have talked about, maybe that needs to be "authorize," instead of "may provide," and instead of "eight," be "up to eight." But I'm amenable to whatever. Here's...and here's why I do this. If you're going to move forward, I think the language needs to be clear about what it is we're trying to accomplish. I understand that the language that is currently in the amendment is kind of standard drafting, if you will, this is how it should be done or could be done. However, if you read it, it's kind of cyclical, and potentially could be confusing. And from that standpoint, if we're going to do this, it should be clear what the Legislature is authorized to do, or shall provide. And so I believe that under my amendment it does still clear up the concerns that Senator Schimek has, because it says we may provide at eight casinos, so we would have a limitation up to eight. But from the standpoint of changing the other words, it's probably not necessary. But again, if those who are bent on having casinos in the state want to do this, it should be done in a way that is at least clearly understandable for those who are going to be reviewing it. So from that standpoint, I'd offer FA1449 for the body's consideration. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. You've heard the opening on FA1449, offered by Senator Erdman to the Schimek amendment. Open for discussion on the Erdman amendment, Senator Schimek, followed by Senators Janssen, Stuthman, Beutler, and Johnson. Senator Schimek.

SENATOR SCHIMEK: Yes. Thank you, Mr. President and members. I don't think what Senator Erdman is trying to do is contrary to what this particular paragraph says. But I'm thinking about whether that's sufficient language then if you take that one sentence out. And Senator Erdman and I have talked about this. And if we were to go his direction, I would change the word "provide for" to...the words "provide for" to "authorize." And I would also amend his amendment to say "up to" instead of