

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

May 10, 2005

LB 500

Chambers, either advertently or inadvertently, said that we're not in a free market situation here, he's true, and perhaps it was not inadvertent in his saying it. His notion, I think, is...I think his argument is, look, we don't want to distort a level playing field. If we were talking about normal retailers who are going to do business in Nebraska, you're exactly right. We might argue well that there is a level playing field for which LB 500 would be a distortion. But that analysis is wrong. That analysis doesn't reflect the fact that Cabela's has lots of options, exercised in many places, that their competitors...our competitors here are not choosing between one or another of potential retailers. Our competitors are other states who offer Cabela's anywhere from \$12 million in Utah to \$56 million in Louisiana, that the marketplace may be distorted, but it is...it is sentimentality to believe that it is somehow a level playing field. That practice has come and gone already, and not of our making. We are simply floating along in a current that we identified yesterday and the day before. And that current is states bidding for business, and we do it to some extent; other states do it to more. And what's happened is that this is a Nebraska-based chain who is growing elsewhere around the company because their entitlements, blandishments, offers, or whatever, are more attractive than ours. And under the realism that Senator Chambers suggests to you, and that is that a merchant follow their self-interest, it should not come as a surprise to us that the announcements for growth have not come in Nebraska. They've come in Utah, New Jersey, Colorado, Pennsylvania, West Virginia, and Texas, at least the ones that have been announced.

SENATOR SCHIMEK: One minute.

SENATOR LANDIS: And there are others in consideration before we have this one coming to us. And by the way, they didn't come in bills. What they did is they come and said, look, would you consider doing what other states do? Would you, if you will, level the playing field? Because the playing field is not between one seller of fishing lures and another. That marketplace, in its pristine aspect, upon which customers wouldn't travel but five or ten miles, that one may be a level playing field. This is not. One of the reasons we know it's not a level playing field is because Cabela's competitor, Bass