

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
February 19, 2016

[LB10 LB19 LB53 LB221 LB295 LB311 LB328 LB371 LB378 LB385 LB400A LB400 LB492
LB619 LB643 LB710 LB722 LB742 LB744 LB745 LB754 LB764 LB774 LB806 LB820
LB821 LB824 LB862 LB867 LB874 LB881 LB886 LB889 LB891 LB897 LB901 LB906
LB914 LB935 LB938 LB947 LB958 LB970 LB975 LB977 LB979 LB1007 LB1012 LB1013
LB1037 LB1038 LB1054 LB1080 LB1081 LB1082 LB1101 LR440 LR441 LR442]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: (RECORDER MALFUNCTION)...FOR THE TWENTY-NINTH DAY
OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS,
PLEASE RECORD YOUR PRESENCE. ROLL CALL. RECORD, MR. CLERK.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SPEAKER HADLEY: ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS.

SPEAKER HADLEY: MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: RESOLUTIONS: LR440 BY SENATOR GARRETT AND LR441 BY SENATOR
SEILER. THOSE WILL BE LAID OVER AT THIS TIME. GUBERNATORIAL
APPOINTMENTS TO THE NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
COMMISSION AND THE PUBLIC EMPLOYEES RETIREMENT BOARD. THOSE WILL
BE REFERRED TO REFERENCE. PRIORITY BILL DESIGNATIONS: SENATOR KEN
HAAR, LB1012; SENATOR MURANTE HAS SELECTED LB874 AS ONE OF THE
GOVERNMENT COMMITTEE PRIORITIES; SENATOR BOLZ, LB371; SENATOR BAKER,
LB722. MR. PRESIDENT, ACKNOWLEDGMENT OF REPORTS RECEIVED FROM THE
CLERK'S OFFICE AND AVAILABLE ON THE LEGISLATIVE WEB SITE, A LOBBY
REPORT AS REQUIRED BY STATE LAW ALSO. AN ANNOUNCEMENT, MR.
PRESIDENT: THE TRANSPORTATION COMMITTEE WILL HAVE AN EXECUTIVE
SESSION AT 9:30 THIS MORNING, ROOM 2022, TRANSPORTATION COMMITTEE AT
9:30. THAT'S ALL THAT I HAVE. (LEGISLATIVE JOURNAL PAGES 649-652.) [LR440
LR441 LB1012 LB874 LB371 LB722]

SPEAKER HADLEY: THANK YOU, MR. CLERK. (VISITORS INTRODUCED.) THANK
YOU. MR. CLERK, WE WILL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA.

Floor Debate
February 19, 2016

CLERK: MR. PRESIDENT, LB221 ON SELECT FILE. I HAVE NO E&Rs. SENATOR BURKE HARR WOULD MOVE TO AMEND WITH AM1996. (LEGISLATIVE JOURNAL PAGE 565.) [LB221]

SPEAKER HADLEY: SENATOR HARR, YOU ARE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB221]

SENATOR HARR: THANK YOU, SPEAKER HADLEY, MEMBERS OF THE BODY, FELLOW NEBRASKANS. I'M HERE ON AM1996 WHICH AMENDS SENATOR LINDSTROM'S LB385 INTO LB221. LB385 PROVIDES A PROCEDURE FOR A LANDLORD TO MAINTAIN OR CREATE A SAFE ENVIRONMENT FOR TENANTS BY PROVIDING A SHORTER PERIOD FOR HEARINGS TO BE BROUGHT WHEN A TENANT ENGAGES OR ALLOWS ANOTHER PERSON TO ENGAGE IN BEHAVIOR THAT AFFECTS THE HEALTH, SAFETY, AND PEACEFUL ENJOYMENT OF OTHERS. THE JUDICIARY COMMITTEE ADVANCED LB385 WITH AM1063 TO GENERAL FILE LAST YEAR WITH A 6-1 VOTE. THE DISSENTING COMMITTEE MEMBER WAS PRIMARILY CONCERNED WITH THE FACT THAT UPON WRITTEN NOTICE OF TERMINATION OF THE RENTAL AGREEMENT AND WITHOUT THE RIGHT OF THE TENANT TO CURE THE DEFAULT, THE LANDLORD MAY FILE SUIT WITHIN THREE DAYS. THESE CONCERNS HAVE BEEN ADDRESSED WITH AM2133, WHICH CHANGES THAT FROM THREE TO FIVE. I WANT TO THANK ALL THE MEMBERS OF THE REVENUE COMMITTEE FOR WORKING WITH ME ON THIS AND SENATOR LINDSTROM FOR THIS BILL AS WELL. WITH THAT I WOULD ASK FOR YOUR SUPPORT ON AM1996 WITH THE REMINDER THAT THIS IS ALL THAT STANDS BETWEEN US AND GETTING BACK TO LB970. THANK YOU. [LB221 LB385 LB970]

SPEAKER HADLEY: MR. CLERK. [LB221]

CLERK: SENATOR HARR WOULD MOVE TO AMEND WITH AM2133. (LEGISLATIVE JOURNAL PAGE 574.) [LB221]

SPEAKER HADLEY: SENATOR HARR, YOU'RE RECOGNIZED TO OPEN ON AM2133. [LB221]

SENATOR HARR: AM2133 JUST ADDRESSES THE ISSUES, AS I SAID, AFTER NEGOTIATION WITH SENATOR PANSING BROOKS AND SENATOR LINDSTROM TO ADDRESS HER CONCERNS. I WOULD ASK FOR YOUR SUPPORT ON THAT AS WELL, THANK YOU. [LB221]

Floor Debate
February 19, 2016

SPEAKER HADLEY: THANK YOU FOR THE OPENING. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB221]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, THIS IS A BILL THAT I DON'T THINK IS CONTROVERSIAL AT ALL, SO IT MIGHT BE THE BEST TIME FOR ME TO SAY WHAT I WANT TO SAY. IF I DIDN'T SAY IT, I WOULD BURST. SO I KNOW THERE ARE SOME WHO WISH THAT I WOULD NOT SAY IT. I CAN SEE THAT REACTION ALREADY. BUT I HAVE OFTEN SAID THAT WORDS MEAN SOMETHING, THAT WE SHOULD TRY TO BE AS PRECISE AS WE CAN BE, ESPECIALLY WHEN WE'RE DEALING WITH SERIOUS MATTERS. AND I'M NOT TALKING ABOUT THE LEGISLATURE, BY THE WAY, NOW, SO EVERYBODY CAN RELAX HERE. I WANT TO MAKE A DISCLAIMER THAT I MADE BEFORE. I DON'T HAVE A RELIGIOUS BONE IN MY BODY. I DON'T PROFESS TO HOLD ANY FAITH OR HOLD TO ANY DENOMINATION AND CERTAINLY NOBODY WOULD MISTAKE ME FOR BEING A CATHOLIC. BUT I THINK THE MEDIA OR OTHERS WHO PICKED UP ON WHAT THE POPE SAID THE OTHER DAY DID NOT DO A SERVICE. WHEN THE POPE WAS ASKED A QUESTION, IT WAS ABOUT CONDUCT OF DONALD TRUMP, WHO WILL BE THE NEXT PRESIDENT OF THE UNITED STATES, BY THE WAY. I'LL GIVE AN OPPORTUNITY FOR THE CHEERING TO SUBSIDE. THE POPE WAS ADDRESSING CONDUCT, NOT DONALD TRUMP. HE DID NOT SAY DONALD TRUMP IS NOT A CHRISTIAN. HIS WORDS DEALT WITH CONDUCT WHICH WOULD BUILD WALLS TO KEEP PEOPLE OUT INSTEAD OF BRIDGES THAT WOULD SPAN DIFFERENCES. HE DID NOT SAY: IS NOT A CHRISTIAN. HE SAID: IS NOT CHRISTIAN. THE WORD WAS BEING USED LIKE AN ADJECTIVE. I THINK THIS POPE HAS GONE OUT OF HIS WAY TO BUILD BRIDGES. HE HAS TAKEN POSITIONS THAT EMPATHIZE CONCERN FOR THE POOR. THOSE PEOPLE WHO ARE MARGINALIZED, THOSE WHO ARE LAID ASIDE BY SOCIETY AS NOT EVEN HAVING HUMANITY. WHEN HE VISITS ANOTHER COUNTRY OR A PART OF A COUNTRY, HE WILL GO OUT OF HIS WAY TO VISIT PRISONS AND TALK TO PRISONERS. HE WENT TO A WOMEN'S PRISON. THE POPE HAS EVEN WASHED THE FEET OF PRISONERS. HERE IS A MAN WHO SAID HE WANTS TO SHOW BY HIS EXAMPLE WHAT THOSE TEACHINGS OF CHRIST THAT PEOPLE ARE ALWAYS SPOUTING--HE DIDN'T USE THE WORD SPOUTING; THAT'S MY WORD--THAT THEY'RE ALWAYS SPOUTING SHOULD HAVE AN EXAMPLE BY THOSE WHO SAY SIMILAR THINGS AND THEY SHOULD PROVIDE THAT EXAMPLE. THAT'S WHAT POPE FRANCIS HAS DONE. HE IMMEDIATELY CAUGHT MY ATTENTION WHEN HE ADOPTED THE NAME FRANCIS FROM FRANCIS OF ASSISI, WHO LOVED ANIMALS. HE PREACHED TO ANIMALS AND HE EVEN SAID THAT HE HAS TO ASK APOLOGY OF HIS BROTHER, THE ASS, BECAUSE OF INAPPROPRIATE TREATMENT AND CONCERN. SO I WANT FOR THE RECORD HERE TO MAKE IT CLEAR THAT HE DID NOT SAY DONALD TRUMP IS NOT

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
February 19, 2016

A CHRISTIAN. BUT IT'S IRONIC THAT HE WAS SO OUTRAGED, DONALD TRUMP, ABOUT THIS WHEN HE SAID HOW CAN TED CRUZ BE ONE OF THESE KIND OF CHRISTIANS WHEN HE LIES ALL THE TIME? HE WAS QUESTIONING THE FAITH OF TED CRUZ UNSOLICITED. [LB221]

SPEAKER HADLEY: ONE MINUTE. [LB221]

SENATOR CHAMBERS: HE RIDICULED THE RELIGION OF BEN CARSON WHO HAPPENS TO BE A SEVENTH-DAY ADVENTIST. HE SAID, WHAT IS A SEVENTH-DAY ADVENTIST? I DON'T KNOW ANYTHING ABOUT THAT. SO AFTER HE HAD DONE THESE ATTACKS ON OTHER PEOPLE'S RELIGION, HE IS SO THIN-SKINNED. HE IS SO ARROGANT. HE WANTS TO SHOW HOW IGNORANT THE PEOPLE ARE WHO BACK HIM BY DOING THE VERY THING HE HAD CONDEMNED SOMEBODY ELSE FOR AND THEY CHEERED HIM BECAUSE THEY ARE NONTHINKERS. BUT AS A NONCHRISTIAN, A NONRELIGIOUS PERSON, I HAD TO SAY THESE WORDS ON BEHALF OF A MAN WHO I THINK DOES IN HIS CONDUCT EXEMPLIFY WHAT HE PREACHES. HE PRACTICES WHAT HE PREACHES. THANK YOU, MR. PRESIDENT. [LB221]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SEEING NO ONE ELSE IN THE QUEUE, SENATOR HARR, YOU'RE RECOGNIZED TO CLOSE. SENATOR HARR, WAIVES CLOSING. THE QUESTION FOR THE BODY IS THE ADOPTION OF AM2133. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB221]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR HARR'S AMENDMENT. [LB221]

SPEAKER HADLEY: AM2133 IS ADOPTED. THE QUEUE IS OPEN ON AM1996. SEEING NO ONE, SENATOR HARR, YOU'RE RECOGNIZED TO CLOSE. SENATOR HARR WAIVES CLOSING. ALL IN FAVOR OF ADOPTION AM1996 VOTE AYE; OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB221]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR BURKE HARR'S AMENDMENT. [LB221]

SPEAKER HADLEY: AM1996 IS ADOPTED. [LB221]

Floor Debate
February 19, 2016

CLERK: SENATOR HANSEN, I HAVE NOTHING FURTHER ON THE BILL. [LB221]

SPEAKER HADLEY: SENATOR HANSEN FOR A MOTION. [LB221]

SENATOR HANSEN: YES, MR. PRESIDENT. I MOVE LB221 ADVANCE TO E&R FOR ENGROSSING. [LB221]

SPEAKER HADLEY: YOU'VE HEARD THE MOTION TO ADVANCE FOR E&R ENGROSSING. ALL IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY. LB221 ADVANCES FOR E&R ENGROSSING. MR. CLERK, NEXT ITEM ON THE AGENDA. [LB221]

CLERK: MR. PRESIDENT, LB970, A BILL ON GENERAL FILE. THE ISSUE WAS PRESENTED TO THE LEGISLATURE, BUT BEFORE SENATOR LARSON WAS ALLOWED AN OPENING, THERE WAS A MOTION FILED. SENATOR CHAMBERS HAD MOVED TO INDEFINITELY POSTPONE THE BILL, MR. PRESIDENT, PURSUANT TO RULE 6, SECTION 3(f). THAT MOTION IS PENDING, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU WANT TO TAKE JUST A MINUTE AND EXPLAIN YOUR MOTION. [LB970]

SENATOR CHAMBERS: YES. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THAT RULE THAT WAS CITED ALLOWS A MOTION TO INDEFINITELY POSTPONE A BILL ON GENERAL FILE BEFORE IT IS READ. PURSUANT TO THAT RULE, I OFFERED THIS MOTION. WE HAVE SEEN IN THE DAYS BEFORE WHAT HAPPENS WITH BILLS LIKE THESE. I ALWAYS TRY TO FACILITATE THE PROCESS BY REMOVING THESE IMPEDIMENTS TO ACTION BY THE LEGISLATURE ON MATTERS OF IMPORTANCE. SOME PEOPLE MAY DEEM THIS BILL IMPORTANT ENOUGH TO CONSUME THE AMOUNT OF TIME THAT I INTEND TO TAKE ON IT. SO MY MOTION IS TO INDEFINITELY POSTPONE IT, AND THAT I THINK IS SUFFICIENT UPDATE. THANK YOU, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: ANYONE WISHING TO SPEAK ON THE INDEFINITELY POSTPONE? SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB970]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, THIS BILL IS DESIGNED TO CARRY AN AMENDMENT THAT WOULD ALLOW FANTASY FOOTBALL BETTING. THAT IS GAMBLING. THAT FORM OF

Floor Debate
February 19, 2016

GAMBLING IS PROHIBITED BY THE CONSTITUTION. EVEN THOUGH THE BILL, THE AMENDMENT WAS DRAFTED IN SUCH A WAY AS TO ENTICE THE LEGISLATURE TO SUPPORT IT BY THE FALSE FRONTS OF A STEEP FEE FOR THE PEOPLE WHO WANT TO OPERATE THESE ACTIVITIES TO PAY THE STATE. FIRST OF ALL, THESE OPERATIONS ARE BILLION DOLLAR ENTERPRISES: \$50,000 OR \$100,000 TO SUCKER THE LEGISLATURE IS NOTHING FOR THEM TO SPEND. THEY MIGHT SPEND THAT...MORE THAN THAT ON A LOBBYIST. BUT HERE IS WHY IT IS GAMBLING. SENATOR MELLO SUPPORTS THIS BILL AND IF HE'S HERE, I WANT HIM TO PAY ATTENTION BECAUSE HE TRIES TO SHOW HOW IT'S A GAME OF SKILL. IT IS NOT A GAME OF SKILL. IT IS A GAME OF CHANCE. SKILL IS INVOLVED WHEN YOU CAN DO SOMETHING TO INFLUENCE THE OUTCOME AND YOU INFLUENCE THAT OUTCOME THROUGH YOUR KNOWLEDGE AND YOUR ABILITY TO PARTICIPATE IN THE ACTIVITY. WITH THIS SO-CALLED FANTASY SPORT ACTIVITY, THEY HAVE WHAT THEY CALL DRAFTS. A DETERMINATION IS MADE WHO IS GOING TO HAVE THE FIRST OPPORTUNITY TO DRAFT OR PICK PLAYERS. AND THAT PERSON IS GIVEN AN ADVANTAGE IN THE BEGINNING BECAUSE THAT PERSON MAY PICK THE TOP INDIVIDUALS AT VARIOUS POSITIONS IN FOOTBALL WHO, IF THEY PLAY WHEN A GAME ACTUALLY OCCURS, WOULD BE LIKELY TO HELP YOU WIN. BUT IF THERE'S ANY SKILL AT ALL, IT'S AT THIS POINT OF TRYING TO SELECT PLAYERS. NOW, IF AFTER YOU SELECT THE PLAYERS THERE WAS SOME WAY FOR YOU TO MANIPULATE THE GAME THAT THEY PARTICIPATE IN AND YOUR MANIPULATION WOULD AFFECT THE OUTCOME, YOU MIGHT ARGUE AND IT WOULD BE A TENUOUS ONE EVEN THEN, THAT SKILL IS INVOLVED BECAUSE YOU ARE AFFECTING THE OUTCOME. BUT IN THIS ACTIVITY, THE OUTCOME IS DETERMINED BY REAL LIVE PLAYERS WHO ARE GOING TO PLAY IN A FOOTBALL GAME. AND YOU HAVE NO INFLUENCE ON THE OUTCOME OF THAT ACTIVITY. YOUR SO-CALLED SKILL HAS NO BEARING ON THE OUTCOME OF THAT ACTIVITY. THERE ARE MANY THINGS THAT CAN HAPPEN IN A GAME WHICH WILL AFFECT THE OUTCOME. ONE OF THE PLAYERS THAT YOU SELECTED MAY GET INJURED. THAT PLAYER MAY FOR SOME OTHER REASON BE TAKEN OUT OF THE GAME. THERE IS A GAME PLAN THAT THE COACH PUTS IN PLACE. YOU HAVE NOTHING TO DO WITH THAT. YOU MAY NOT EVEN KNOW WHAT IT IS, SO YOU DON'T CONTROL THE GAME PLAN. YOU DON'T CONTROL WHO IS GOING TO PLAY. YOU DON'T CONTROL HOW WELL ANYBODY PLAYS OR HOW POORLY THE OTHER SIDE PLAYS. THIS IS NOT A GAME OF SKILL. IT IS GAMBLING, PURE AND SIMPLE, AND THE PURPOSE IS TO TAKE THE PLACE OF CERTAIN TYPES OF POKER ACTIVITY THAT WAS AVAILABLE. IT'S LIKE OFFSHORE SPORTS BETTING, ON-LINE POKER PLAYING. SKILL HAS NOTHING WHATSOEVER... [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

Floor Debate
February 19, 2016

SENATOR CHAMBERS: ...TO DO WITH IT. AND BECAUSE THERE HAS BEEN AN ATTEMPT TO HOODWINK THE LEGISLATURE, I AM PREPARED TO TAKE ALL OF THE TIME NECESSARY ON MY OWN TO KILL THIS BILL. AND I WANT SENATOR LARSON AND ALL THOSE OTHERS IN THE LOBBY WHO HAVE BEEN PAID TO SEE THAT THE LEGISLATURE ADOPTS THIS BILL. THE LOBBYISTS DON'T CARE WHETHER IT GOES OR NOT. THEY GET THEIR MONEY ANYWAY. BUT I HAVE A RESPONSIBILITY AND I SHALL ASSUME IT AND THE ONLY WAY I CAN ASSUME THAT AND DISCHARGE IT IS TO KILL THIS BILL. THANK YOU, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB970]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I DO RISE IN OPPOSITION TO LB970 AND DO SUPPORT THE MOTION TO INDEFINITELY POSTPONE THIS BILL. WE HAVE HEARD OVER THE YEARS AND EVEN FOR SOME OF YOU WHO HAVE JUST JOINED THIS LEGISLATURE, DIFFERENT SITUATIONS OF INDIVIDUALS WHO STRUGGLE WITH MANY ADDICTIONS AND THE GAMBLING ADDICTION IS ALSO DEVASTATING. IT DOES AFFECT FAMILIES. IT AFFECTS EMPLOYERS. IT AFFECTS STUDENTS. AND TO TRY TO GIVE AN OPPORTUNITY FOR A CASINO OR EXPANDED GAMBLING IS NOT THE GOOD LIFE. THE GOOD LIFE COMES THROUGH OUR LABOR, OUR EDUCATION, AND DIFFERENT MEANS, BUT NOT GAMES OF CHANCE. SKILL AND CHANCE ARE LIKE NIGHT AND DAY. THEY ARE DIFFERENT. MR. SPEAKER, I WOULD LIKE TO YIELD THE REST OF MY TIME TO SENATOR CHAMBERS. [LB970]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 3:42. [LB970]

SENATOR CHAMBER: THANK YOU, SENATOR BRASCH, AND THANK YOU, MR. SPEAKER. CURRENTLY, BROTHERS AND SISTERS, FRIENDS, ENEMIES, AND NEUTRALS, THESE STATES DO NOT ALLOW THIS NEFARIOUS ACTIVITY. NEVADA, AND IF I'M NOT MISTAKEN, LAS VEGAS IS IN NEVADA, AND THEY HAVE ALL KINDS OF GAMBLING. BUT THIS PARTICULAR KIND IS NOT ALLOWED BECAUSE THERE WAS SOMETHING WHICH AMOUNTED TO INSIDER TRADING WHERE STOCKS ARE CONCERNED BY ONE OF THE OFFICIALS IN ONE OF THESE COMPANIES. AND WHEN THAT WAS DISCLOSED TO THE PUBLIC, THE STOCK VALUE DROPPED, THE PARTICIPATION DROPPED BECAUSE PEOPLE BEGAN TO FEEL THAT THE OUTCOME WAS FIXED. BUT AT ANY RATE, NEVADA DOESN'T ALLOW IT. ARIZONA DOES NOT ALLOW IT, IOWA, LOUISIANA, MONTANA,

Floor Debate
February 19, 2016

WASHINGTON. AND NEBRASKA'S CONSTITUTION DOES NOT ALLOW IT. THE STATE CANNOT REGULATE THAT WHICH IS ILLEGAL. AND TRYING TO PUT IN PLACE A REGULATORY SCHEME DOES NOT MAKE THAT WHICH IS ILLEGAL LEGAL. AND EVEN IF YOU WERE TO TAKE WHAT SENATOR LARSON HAS BEEN TELLING YOU, THERE IS NO ENFORCEMENT MECHANISM. THERE IS NOTHING. EVERYTHING IS SMOKE AND MIRRORS. FORMER SENATOR LAUTENBAUGH HAS A HEAVY HAND IN GAMBLING ISSUES IN THIS STATE AND HE SURPRISED ME, QUITE FRANKLY, WHEN AFTER HE HAD OBTAINED ELECTION TO THE LEGISLATURE, I'M SURE HE MADE THE PROMISES THAT MOST PEOPLE DO WHEN THEY RUN FOR OFFICE, THAT THEY WILL SERVE THE CONSTITUENCY TO THE BEST OF THEIR ABILITY WHILE THEY'RE IN OFFICE. BUT HE FELT THAT BEING A LOBBYIST FOR GAMBLING INTERESTS WAS MORE IMPORTANT THAN HIS DUTY TO HIS CONSTITUENTS, SO HE RESIGNED FROM THE LEGISLATURE IN ORDER TO LOBBY FOR A GAMBLING PROPOSITION. HE RESIGNED FROM THE LEGISLATURE TO LOBBY FOR A GAMBLING PROPOSITION AND HE IS CONTINUING IN THAT ACTIVITY, WHICH IS HIS PRIVILEGE. BUT YOU NEED TO KNOW HOW PEOPLE WHO SUPPORT THESE TYPES OF ACTIVITIES ARE REALLY THINKING. THEY HAVE NO REGARD OR CONCERN FOR THE INTEGRITY OF THE LEGISLATURE OR FOR THE SOCIAL WELL-BEING OF THE CITIZENS OF THIS STATE. WHEN THE BEST ARGUMENT THEY CAN MAKE... [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR CHAMBERS: ...IS THAT PEOPLE ARE GOING TO IOWA OR SOMEPLACE ELSE TO THROW AWAY THEIR MONEY AND DEVELOP AN ADDICTION OR INTENSIFYING AN ADDICTION, THEREFORE, LET THEM THROW THEIR MONEY AWAY IN NEBRASKA AND DEVELOP OR INTENSIFY AN ADDICTION HERE, THAT IS NOT A GOOD ARGUMENT. IT IS SPECIOUS AND I ACTUALLY THINK THAT IT IS NOT MORAL, NOT IN A RELIGIOUS SENSE, BUT IN THE SENSE OF HAVING RECTITUDE AND BEING IN ACCORD WITH SOUND PRINCIPLES OF REASON. THANK YOU, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH AND SENATOR CHAMBERS. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB970]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. SENATOR LARSON, WILL YOU YIELD TO A QUESTION, PLEASE? [LB970]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD? [LB970]

Floor Debate
February 19, 2016

SENATOR LARSON: YES. [LB970]

SENATOR SCHNOOR: OKAY. SENATOR LARSON, ON...I GET THIS WHERE I CAN READ IT. I KNOW I REMEMBER YOU SPEAKING ABOUT THIS, BUT I WANT SOME CLARIFICATION AND TO REMIND EVERYBODY HERE. SECTION 1 OF LB970, THE NEW EDITION OF THIS SAYS: A PARTICIPANT... [LB970]

SENATOR LARSON: ARE YOU ON THE AMENDMENTS? [LB970]

SENATOR SCHNOOR: I'M ON LB... [LB970]

SENATOR LARSON: ARE YOU ON AM2020? [LB970]

SENATOR SCHNOOR: HOLD ON A SECOND. NO, I'M READING LB970. SORRY. LET ME GET BACK TO THIS. BUT IT TALKS ABOUT USING UNITED STATES CURRENCY OR ANY METHOD OF PAYMENT REPRESENTING CURRENCY. COULD YOU GIVE ME A BETTER DEFINITION OF THAT, PLEASE? [LB970]

SENATOR LARSON: WHAT I ASSUME, IF YOU'VE BEEN ON THE INTERNET, THERE ARE EXCHANGE RATES...THAT SOME WEB SITES ALLOW BITCOIN, OR YOU COULD EXCHANGE BRITISH POUNDS INTO DOLLARS ON THE WEB SITE. I WOULD THINK THAT THOSE ARE THE TWO. ARE YOU FAMILIAR WITH THE BITCOIN? [LB970]

SENATOR SCHNOOR: I AM NOT. [LB970]

SENATOR LARSON: OKAY. IT'S A WEB-BASED CURRENCY THAT...I MEAN WE CAN TALK ABOUT THE ECONOMICS OF THE BITCOIN IN TERMS OF HOW IT'S MOVING UP AND MOVING DOWN AND IF THAT'S BEING MANIPULATED, BUT THAT HAS NOTHING TO DO WITH THIS BILL. SO WHEN WE DEFINE U.S. CURRENCY, IT'S...A LOT OF WEB SITES ALLOW YOU TO CONVERT CURRENCY. [LB970]

SENATOR SCHNOOR: BUT THIS...I GUESS WHAT I'M LOOKING FOR HERE...AM I...WHAT I'M THINKING ABOUT, DOES THIS ALLOW FOR THE USE OF CREDIT CARDS AND DEBIT CARDS? [LB970]

SENATOR LARSON: YES. [LB970]

Floor Debate
February 19, 2016

SENATOR SCHNOOR: OKAY. THANK YOU. [LB970]

SENATOR LARSON: BUT THE AMENDMENT...WE HAVE AN AMENDMENT THAT'S GOING TO TAKE OUT CREDIT CARDS. [LB970]

SENATOR SCHNOOR: OKAY, AND THEN IT WILL ONLY ALLOW FOR DEBIT CARDS? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR SCHNOOR: OKAY. THANK YOU. [LB970]

SENATOR LARSON: AND NONCREDIT SOURCES LIKE PAYPAL. [LB970]

SENATOR SCHNOOR: OKAY. ALL RIGHT. THAT'S ALL MY QUESTIONS. THANK YOU. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR SCHNOOR. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB970]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, THIS KIND OF ACTIVITY CAN BE ANALOGIZED TO HORSE RACE BETTING. THEY HAVE PEOPLE AT THE TRACK KNOWN AS TOUTS AND THEY WALK AROUND SUGGESTING TO PEOPLE WHICH HORSES ARE LIKELY TO WIN. BUT GENERALLY, THESE ARE SEEDY-LOOKING PERSONS, RUN OVER SHOES, AND IF THEY ARE THE ONES WHO KNOW SO MUCH ABOUT WINNING HORSES, THEY WOULD DO SOME BETTING AND WIN FOR THEMSELVES. BUT THEY KNOW HOW MANY PEOPLE THERE ARE HOOKED ON GAMBLING AND THEY WILL REACH OUT TO ANYTHING AND ANYBODY WHICH SEEMS MAY OFFER THEM A CHANCE TO WIN. SO THEY WILL ACTUALLY GIVE A TOUT SOMETHING TO GET THE PICKS BY THE TOUT. WELL, LET'S SAY THAT INSTEAD OF YOU DEALING WITH A TOUT, YOU LOOK AT THE DAILY RACING FORM, YOU READ ALL OF THE INFORMATION YOU CAN ON ALL OF THE HORSES THAT ARE RUNNING. HORSE RACING IS GAMBLING BECAUSE YOU ARE DEALING IN AN ACTIVITY WHERE CHANCE IS WHAT DETERMINES THE WINNER. AND WE'RE NOT TALKING ABOUT, I'M NOT, THROWN RACES WHERE A JOCKEY DELIBERATELY HOLDS BACK A HORSE. BUT EVEN IN THAT INSTANCE, THAT ADDS AN ADDITIONAL ITEM OF CHANCE BECAUSE YOU DON'T EVEN KNOW WHETHER THE RACE IS ON THE UP AND UP. BUT

Floor Debate
February 19, 2016

REGARDLESS OF THE AMOUNT OF WORKING THAT YOU DO, THE AMOUNT OF STUDYING THAT YOU UNDERTAKE, NONE OF THAT HAS AN EFFECT ON THE OUTCOME OF THAT RACE. THE HORSE WHICH CROSSES THE FINISH LINE FIRST WILL WIN. THOSE WHO BET ON THAT HORSE WILL WIN. THEN YOU HAVE SECOND AND THIRD. THEN YOU HAVE THE "ALSO RANS." THAT MEANS THEY ALSO RAN, BUT THEY DIDN'T WIN ANYTHING. SO IF SOMEBODY TELLS YOU YOU'RE AN ALSO RAN, THAT IS NOT A COMPLIMENT. SO IN THIS ACTIVITY THAT THOSE WHO PUSH THIS BILL ULTIMATELY WANT TO ENGAGE IN AND HAVE PEOPLE ENGAGE IN CAN BE ANALOGIZED TO WHAT HAPPENS AT THE HORSE RACE TRACK BECAUSE YOU PICK THESE PLAYERS, BUT YOU HAVE NO WAY OF DETERMINING WHAT THOSE PLAYERS ARE GOING TO DO. AND IF SENATOR MELLO IS ON THE FLOOR, I'D LIKE TO ASK HIM A QUESTION OR TWO. [LB970]

SPEAKER HADLEY: SENATOR MELLO, WILL YOU YIELD? [LB970]

SENATOR MELLO: OF COURSE. [LB970]

SENATOR CHAMBERS: AND, SENATOR MELLO, I DIDN'T ASK YOU OR CALL ON YOU BEFORE BECAUSE I SAW YOU WERE ENGAGED IN DISCUSSIONS AND I KNEW I'D HAVE THE OPPORTUNITY LATER. SENATOR MELLO, ASIDE FROM TRYING TO PICK THESE PLAYERS, HOW DOES THE INDIVIDUAL PLAYER'S SKILL AFFECT THE OUTCOME OF THE REAL GAMES THEMSELVES IN WHICH REAL, LIVE MEN PARTICIPATE? [LB970]

SENATOR MELLO: I WOULD MAKE AN ARGUMENT, SENATOR CHAMBERS, THAT ONE SKILL IN ANY KIND OF ATHLETIC EVENT IS PARTIALLY DETERMINED ON THAT INDIVIDUAL'S CURRENT HEALTH STATUS. SO IF YOU HAVE AN INDIVIDUAL, WE'RE GOING TO JUST TAKE FOOTBALL FOR AN EXAMPLE SINCE WE TALKED ABOUT THAT LAST WEEK, IF YOU HAVE AN INDIVIDUAL WHO HAS A STRAINED QUADRICEPS OR A STRAINED CALF MUSCLE, THEIR SKILL SET IS GOING TO BE SIGNIFICANTLY DIFFERENT EVEN IF THEY CHOOSE TO GET STARTED BY A HEAD COACH IN COMPARISON TO SOMEONE WHO HAS BEEN DEEMED 100 PERCENT HEALTHY STARTING THAT GAME. SO I THINK UNDERSTANDING THAT SKILL LEVEL AND MAKING A JUDGMENT CALL ON WHETHER OR NOT YOU BELIEVE SOMEONE'S HEALTH STATUS IS GOING TO IMPACT THEIR SKILL LEVEL TO CARRY A FOOTBALL, THROW A FOOTBALL, OR CATCH A FOOTBALL I THINK DOES HAVE SOME SKILL IN REGARDS TO MAKING A DETERMINATION OF WHAT PERCENTAGE YOU'RE GOING TO FEEL COMFORTABLE WITH IN REGARDS TO... [LB970]

Floor Debate
February 19, 2016

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR MELLO: ...STARTING THAT INDIVIDUAL VERSUS ANOTHER PLAYER.
[LB970]

SENATOR CHAMBERS: SENATOR MELLO, AFTER YOU DO ALL OF YOUR
CALCULATING, DEAL WITH THE THINGS YOU MENTIONED, WHAT EFFECT DOES
WHAT YOU DID HAVE ON HOW THAT GAME ITSELF IS PLAYED? [LB970]

SENATOR MELLO: IT'S NOT SO MUCH HOW THAT GAME IS PLAYED, SENATOR
CHAMBERS. IT'S HOW THE GAME ITSELF IN REGARDS TO THE ASSEMBLING OF
ALL OF YOUR PLAYERS ON YOUR TEAM, OF HOW THAT INDIVIDUAL PLAYER MAY
PLAY IN THE GAME THAT THEY'VE BEEN CHOSEN TO PLAY IN AGAINST A
CERTAIN TEAM WITH CERTAIN DYNAMICS OBVIOUSLY SURROUNDING THAT
INDIVIDUAL PLAYER'S ENVIRONMENT AND THEIR GAME, AND AS I MENTIONED,
OBVIOUSLY THAT INDIVIDUAL'S HEALTH STATUS. [LB970]

SENATOR CHAMBERS: BUT NO MATTER WHAT YOU KNOW, IT HAS NOTHING TO
DO OR HAVE ANY IMPACT ON HOW THAT GAME ITSELF IS PLAYED, DOES IT?
YOU'RE JUST SPECULATING. YOUR THOUGHTS DON'T DETERMINE WHAT ANY
PLAYER IS GOING TO DO, DOES IT...? [LB970]

SPEAKER HADLEY: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR HILKEMANN,
YOU'RE RECOGNIZED. [LB970]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I WONDER IF SENATOR
LARSON WOULD YIELD TO SEVERAL QUESTIONS. [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR HILKEMANN: SENATOR LARSON, I'M TRYING TO...I'VE HAD SOME
PEOPLE TALK WITH ME ABOUT THIS PARTICULAR BILL, PARTICULARLY THAT
WE'RE TALKING ABOUT THE FANTASY PART OF THIS. YOU TOLD ME ON THIS

Floor Debate
February 19, 2016

FLOOR A WEEK AGO THURSDAY THAT EVEN IF WE DON'T PASS THIS BILL, NOTHING HAPPENS TO FANTASY SPORTS, IS THAT CORRECT? [LB970]

SENATOR LARSON: YES. THERE WILL STILL BE 300,000 PLAYERS IN THE STATE OF NEBRASKA LEGALLY PLAYING. [LB970]

SENATOR HILKEMANN: OKAY. SO I ASKED YOU THE QUESTION AND I DIDN'T REALLY GET AN ANSWER THEN, SO WHY ARE WE ARGUING THIS BILL IF NOTHING HAPPENS TO FANTASY SPORTS? [LB970]

SENATOR LARSON: WELL, AS I EXPLAINED LAST THURSDAY, THIS IS ABOUT CONSUMER PROTECTION, SENATOR HILKEMANN. THIS IS ABOUT ENSURING THAT 300,000 NEBRASKANS ARE NOT TAKEN ADVANTAGE OF BY A PLAYER IN NEW YORK, OR BY A PLAYER IN MARYLAND. THERE ARE COMPANIES OUT THERE-- DRAFTKINGS AND FANDUEL ARE NOT AMONG THOSE COMPANIES--BUT THERE ARE FANTASY SPORTS COMPANIES THAT ALLOW WHAT'S CALLED AUTO SCRIPTING AND AUTO DRAFT. AND AUTO SCRIPT IS WHERE SOMEONE CAN CREATE A MATHEMATICAL ALGORITHM OR SOMETHING OF THAT NATURE AND ENTER POSSIBLY 3,000 TEAMS AT ONCE INTO ONE POOL, WHEREAS THE ONE NEBRASKAN MIGHT ONLY BE ABLE TO ENTER ONE TEAM. THAT IS AN UNFAIR ADVANTAGE TO THOSE INDIVIDUALS THAT CAN CREATE THOSE ALGORITHMS, THAT CAN CREATE THOSE PROBLEMS TO TAKE ADVANTAGE OF NEBRASKANS. WHAT LB862 DID, AND AS ROLLED INTO LB970, IS PROTECTS NEBRASKANS FROM THAT CONCEPT. IT PROTECTS NEBRASKANS FROM BEING TAKEN ADVANTAGE OF. IF WE WANT TO TALK ABOUT DEFENDING THE DOWNTRODDEN, THAT IS WHAT LB970 DOES. IT PROTECTS NEBRASKANS AND WE'RE GOING TO CONTINUE TO FIGHT THAT BECAUSE THIS DOESN'T...WON'T CHANGE 300,000 PLAYERS PLAYING FANTASY SPORTS. THIS WILL MAKE SURE IT'S A SAFEST ENVIRONMENT POSSIBLE. [LB970 LB862]

SENATOR HILKEMANN: AND AS I UNDERSTAND IT, YOU SAID THAT THIS...THAT I UNDERSTAND IS THAT THERE ARE A LOT OF OTHER GAMING COMPANIES THAT WANT TO COME IN AND SORT OF GO INTO THIS SPACE, IS THAT CORRECT? [LB970]

SENATOR LARSON: YEAH, THERE ARE LOTS OF FANTASY SPORTS COMPANIES. AND WHAT LB970 DOES IS WE WORK TO ATTEMPT TO REGULATE THAT AND WE SAY THAT A FANTASY SPORTS COMPANY HAS TO REGISTER WITH THE STATE OF NEBRASKA. AND ONCE THEY REGISTER WITH THE STATE OF NEBRASKA, THEY HAVE TO FOLLOW OUR STATE LAWS, WHICH IS TO STOP THINGS LIKE THE AUTO

Floor Debate
February 19, 2016

SCRIPTING AND THE AUTO DRAFTING THAT WILL HURT NEBRASKANS. WE WANT TO PROTECT NEBRASKANS. LB970 DOESN'T LEGALIZE GAMBLING OR LEGALIZE FANTASY SPORTS; 300,000 PEOPLE ARE PLAYING IT AND WILL CONTINUE TO PLAY IT. WE WANT TO MAKE SURE IT IS THE SAFEST ENVIRONMENT POSSIBLE TO ENSURE MOVING FORWARD. [LB970]

SENATOR HILKEMANN: SO YOU'RE SAYING THAT THIS BILL IS MORE A BILL OF PUBLIC...FOR CONSUMER SAFETY... [LB970]

SENATOR LARSON: CONSUMER PROTECTION. [LB970]

SENATOR HILKEMANN: OKAY. ALL RIGHT. I APPRECIATE THAT RESPONSE. THANK YOU VERY MUCH. NOW ONE MORE THING. [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR HILKEMANN: DO THESE PEOPLE DO THIS WITH CREDIT CARDS? [LB970]

SENATOR LARSON: CURRENTLY, I WOULD HAVE TO FIND OUT FOR SURE. I KNOW ON MY FANDUEL WEB SITE I USED A DEBIT CARD. I WOULD HAVE TO ASK IF YOU CAN PUT ON CREDIT CARDS OR NOT. I DON'T KNOW THAT ANSWER RIGHT OFF THE TOP OF MY HEAD. [LB970]

SENATOR HILKEMANN: OKAY. SO YOU CAN USE A DEBIT CARD. YOU CANNOT USE...YOU MAY NOT BE ABLE TO USE A CREDIT CARD. [LB970]

SENATOR LARSON: I DON'T KNOW FOR SURE ON THAT ANSWER, SENATOR HILKEMANN. [LB970]

SENATOR HILKEMANN: ARE THERE LIMITS THAT PEOPLE CAN PUT ON THEIR DEBIT CARD OR A CREDIT CARD? [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR LARSON: I KNOW THAT THE WEB SITES, BOTH FANDUEL AND DRAFTKINGS DO ALLOW YOU TO SET PERSONAL LIMITS SO YOU CANNOT DO SO MUCH...ESSENTIALLY SELF-RESTRICTING YOURSELF. AGAIN, I WOULD HAVE TO

Floor Debate
February 19, 2016

ASK THEM THEIR COMPANY POLICIES IF THEY HAVE LIMITS ON HOW MUCH AN INDIVIDUAL CAN PUT ON ONE DAY OR NOT. THERE ARE DEPOSIT LIMITS, YES. [LB970]

SENATOR HILKEMANN: THANK YOU VERY MUCH, SENATOR LARSON. [LB970]

SENATOR LARSON: I JUST HEARD FROM MY LEGAL COUNSEL. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR HILKEMANN. SENATOR LARSON, YOU'RE RECOGNIZED. [LB970]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I WANT TO CORRECT SOMETHING THAT WE'VE ALREADY HEARD ON THE FLOOR. WE HEARD SENATOR CHAMBERS SAY THAT THIS IS ILLEGAL IN NEVADA. SENATOR CHAMBERS, THIS ISN'T ILLEGAL IN NEVADA. THESE COMPANIES CHOOSE NOT TO OPERATE IN NEVADA. SO HE WANTS TO TALK ABOUT US MAKING SURE WE HAVE OUR FACTS STRAIGHT. HE WANTS TO BEAT UP ON ALL OF US WHEN WE DON'T KNOW WHAT OUR FACTS ARE. WELL, SENATOR CHAMBERS, MAKE SURE YOU KNOW YOUR FACTS BEFORE YOU START SPOUTING THAT THIS IS ILLEGAL IN NEVADA. IT'S NOT. THEY CHOOSE NOT TO OPERATE THERE. THE HYPOCRISY THAT CONTINUES WHEN WE GET ATTACKED IF WE MIGHT NOT KNOW ONE THING IS NOT RECOGNIZED ON THE OTHER SIDE. AND FRANKLY, THESE COMPANIES ARE ACTUALLY WORKING WITH THE NEVADA GAMING COMMISSION TO FIND COMMON GROUND TO WORK. BUT THEY'RE NOT ILLEGAL. AND MIND YOU, WE CAN TALK ABOUT ATTORNEY GENERAL'S OPINIONS IN HOWEVER MANY OTHER STATES, WELL, AN ATTORNEY GENERAL'S OPINION IN ANOTHER STATE DOESN'T NECESSARILY MEAN ANYTHING BECAUSE THEIR STATE CONSTITUTION AND STATE STATUTES ARE DIFFERENT. YOU CAN NOT COMPARE APPLES TO ORANGES. SO BEFORE WE STAND UP HERE AND MAKE A COMMENT THAT IT'S ILLEGAL HERE OR THERE'S AN AG OPINION HERE, LET'S UNDERSTAND THE FACTS. WE'RE FOCUSING ON THE FANTASY SPORTS SIDE OF THIS. THERE'S A LOT OF OTHER THINGS IN LB970. BUT IF WE'RE GOING TO FOCUS ON THE FANTASY SPORTS SIDE, LET'S REALLY FOCUS ON WHAT LB862 DOES AND WHAT WE WANT TO DO. THREE HUNDRED THOUSAND NEBRASKANS ARE PARTICIPATING IN THIS DAILY AND WITHOUT LB970, THEY WILL CONTINUE TO PARTICIPATE IN THIS EVERY DAY. DO WE WANT TO PROTECT THOSE INDIVIDUALS? DO WE WANT TO DEFEND THE DOWNTRODDEN? OR DO WE WANT TO LET THEM BE TAKEN ADVANTAGE OF? WITHOUT LB970, WE WILL LET THEM BE TAKEN ADVANTAGE OF AND THAT'S UNFORTUNATE. IT'S UNFORTUNATE THAT MEMBERS DON'T WANT TO PROTECT

Floor Debate
February 19, 2016

NEBRASKANS FROM AUTO SCRIPTING AND AUTO DRAFTING THAT COULD ACTUALLY HURT THEM WORSE BECAUSE THEY THINK THAT THIS IS SOMEHOW EXPANDED GAMBLING. LET'S OFFER THE CONSUMER PROTECTIONS. LET'S PASS THE CONSUMER PROTECTIONS. IF YOU DON'T, YOU'RE GONNA LET NEBRASKANS BE TAKEN ADVANTAGE OF AND YOU KNOW WHAT? I DON'T SUPPORT THAT. THANK YOU, MR. PRESIDENT. [LB862 LB970]

SPEAKER HADLEY: THANK YOU, SENATOR LARSON. SENATOR SCHILZ, YOU'RE RECOGNIZED. [LB970]

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, GOOD MORNING. I SAT IN THE HEARING ON THIS IN THE GENERAL AFFAIRS HEARING THAT DAY AND IT WAS INTERESTING TO ME AS WE WERE QUESTIONING BOTH THE PROPONENTS AND THE OPPONENTS OF THE FANTASY SPORTS BILL AND I THINK ALMOST TO A PERSON, AS THEY ADMITTED, NONE OF THEM HAD EVER EXPERIENCED FANTASY SPORTS, HAD EVER LOOKED AT WHAT DRAFTKINGS OR FANDUEL OR ANY OF THESE OTHER SITES DO. BUT YET BECAUSE SOMEBODY THOUGHT THAT THEY COULD SLAP AN EXPANDED GAMBLING LABEL ON IT, THEN THEY DON'T HAVE TO LOOK AT, AS SENATOR LARSON SAYS, THE FACTS. THEN THEY DON'T HAVE TO LOOK AT WHAT IS ACTUALLY IN PLACE NOW. AND WHAT IS IN PLACE NOW IS A QUESTION WHICH MANY AGs HAVE ALREADY ANSWERED, THAT FANTASY SPORTS IS COMPLETELY CONSTITUTIONAL BECAUSE IT IS A GAME OF SKILL AND SKILL COMES IN ALL FASHIONS AND ALL MAKES. IS IT A SKILL TO IDENTIFY TRENDS AND UNDERSTAND WHERE THOSE TRENDS ARE GOING? MANY IN THE STOCK MARKET AND FOLKS THAT DO COMMODITIES AND THINGS LIKE THAT WOULD SAY ABSOLUTELY IT'S A SKILL. SOME PEOPLE ARE BETTER AT IT THAN OTHERS. SO IF YOU'RE LOOKING AT STATISTICS AND TRENDS AND YOU'RE USING THOSE STATISTICS AND TRENDS OVER TIME TO MAKE DECISIONS ABOUT PERFORMANCES BECAUSE OF THOSE STATISTICS, YOU ARE IDENTIFYING TRENDS AND THOSE IDENTIFIED TRENDS, AS YOU PUT THEM TOGETHER, BECOME SKILL. SO LET'S DISPOSE WITH ALL OF THIS BECAUSE IF YOU WANT TO TALK...LOOK, IF BANKSHOT IS SKILL THEN A LOT OF THINGS ARE SKILL, GUYS. SO LET'S KEEP THAT IN MIND. THE SECOND THING, AS I SAID IN THE COMMITTEE HEARING, ALMOST ALL OF THE OPPONENTS TO A PERSON--AND I ONLY SAY THAT BECAUSE I'M JUST NOT SURE IF ONE OF THEM SAID THEY HAD LOOKED AT IT BEFORE--TOLD ME THEY HAD NO IDEA WHAT FANTASY SPORTS WAS. SO I ASKED THEM AND SPECIFICALLY MS. LOONTJER, I SAID WELL, MS. LOONTJER, WOULD YOU TAKE THE TIME AND GO OUT, PLAY IT A LITTLE WHILE, AND THEN PLEASE COME BACK TO ME AND TELL ME WHY THIS IS GAMBLING OR WHY IT'S A GAME OF SKILL? I THINK IT WAS ABOUT A MONTH AGO THAT I

Floor Debate
February 19, 2016

ASKED HER TO DO THAT WHILE SHE WAS ON THE TESTIFIER'S TABLE AND I'M STILL WAITING FOR THAT. I'M PRETTY MUCH SURE SHE HASN'T GONE AND LOOKED AT ANYTHING BECAUSE SHE'S GOT HER MIND MADE UP ALREADY. WELL, FOLKS, HERE IN THIS BODY, YOU CAN'T JUST WALL YOURSELF OFF, OR YOU SHOULDN'T JUST WALL YOURSELF OFF TO FACTS AND OTHER THINGS THAT ARE OUT THERE. TAKE THE TIME, HAVE THE COURAGE TO LOOK AT WHAT WE'RE TALKING ABOUT HERE BECAUSE SENATOR LARSON IS EXACTLY RIGHT. IF THIS BILL GOES DOWN, IT DOESN'T CHANGE ANYTHING. THE QUESTION WILL STILL BE OUT THERE AS TO WHETHER OR NOT SOME PEOPLE BELIEVE IT IS GAMBLING OR A GAME OF SKILL AND THAT IS NOT FOR US TO ANSWER HERE. WHAT'S OUR JOB TO ANSWER IS, OKAY, IF IT'S LEGAL TODAY AND THERE'S THINGS WE CAN DO TO HELP MAKE IT A MORE SECURE AND MORE FAIR GAME... [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR SCHILZ: ...THEN AS THE LEGISLATORS IN THE STATE OF NEBRASKA LOOKING OUT FOR THOSE PEOPLE THAT WE'RE WORRIED ABOUT THEM GETTING INVOLVED IN SITUATIONS WHERE THEY'RE TAKEN ADVANTAGE OF, THEN, FOLKS, THIS BILL IS FOR YOU. IF YOU'RE AN ANTIGAMBLING PERSON, THIS BILL IS THE KIND OF STUFF YOU WANT TO PASS RATHER THAN JUST SAYING LET'S GET RID OF IT ALL BECAUSE, FOLKS, IF WE DO NOTHING TODAY, LITERALLY, IT CHANGES NOTHING. SO EITHER WAY, WE CAN WASTE HOURS UPON HOURS UPON HOURS TALKING ABOUT AN IDEA OF GAMBLING OR WE CAN PASS COMMONSENSE LAWS THAT TAKE CARE OF OUR FOLKS HERE IN NEBRASKA AND DON'T GET IN THE WAY OF LEGITIMATE LEGAL BUSINESS. THANK YOU, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR SCHILZ. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB970]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. THERE'S BEEN A FEW TALKS ABOUT WE NEED TO STUDY THE FACTS AND KNOW WHAT THE FACTS ARE. THE FACTS ARE WE'RE VOTING ON LB970 AS IT WAS PRESENTED. WE'RE NOT VOTING ON ANY AMENDMENTS. AND IT CURRENTLY STATES THAT YOU CAN USE CREDIT CARDS AND DEBIT CARDS TO HELP FINANCE YOUR GAMBLING. SO THOSE ARE THE FACTS. I AM OPPOSED TO THIS. I WILL SUPPORT SENATOR CHAMBERS' MOTION. NOW, WE WERE TOLD, OR I WAS TOLD THAT THERE MIGHT BE AN AMENDMENT TO TAKE THAT OUT OF THERE. BUT WE NEED TO, LIKE I SAID, WHEN EVERYBODY TALKS ABOUT THE FACTS, THE FACTS ARE RIGHT NOW YOU CAN USE CREDIT CARDS AND DEBIT CARDS TO FINANCE YOUR GAMBLING,

Floor Debate
February 19, 2016

WHICH IS VERY POOR JUDGMENT ON OUR PART. SO I WILL BE SUPPORTING SENATOR CHAMBERS' MOTION AND I WILL YIELD SENATOR CHAMBERS THE REST OF MY TIME. [LB970]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 3:44. [LB970]

SENATOR CHAMBERS: THANK YOU, SENATOR SCHNOOR. THANK YOU, MR. SPEAKER. I'D LIKE TO ASK SENATOR LARSON A QUESTION. [LB970]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR CHAMBERS: SENATOR LARSON, I THINK YOU APPLIED THE TERM HYPOCRISY OR HYPOCRITE TO ME OR SOMETHING THAT I'VE SAID. IS THAT CORRECT? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR CHAMBERS: AND WITH REFERENCE TO WHAT? [LB970]

SENATOR LARSON: SPECIFICALLY, WHEN YOU ATTACK PEOPLE ON THE FLOOR FOR SAYING THAT SOMETHING THAT WASN'T CORRECT... [LB970]

SENATOR CHAMBERS: NO, WHAT DID I SAY? [LB970]

SENATOR LARSON: ...WHEN...YOU SAID THAT IT WAS ILLEGAL...THAT FANTASY SPORTS WERE ILLEGAL IN NEVADA. [LB970]

SENATOR CHAMBERS: OKAY. WHO KNOWS MORE ABOUT WHAT'S LEGAL IN NEVADA, YOU OR NEVADA OFFICIALS? [LB970]

SENATOR LARSON: I WOULD SAY THAT... [LB970]

SENATOR CHAMBERS: WELL, LET ME... [LB970]

Floor Debate
February 19, 2016

SENATOR LARSON: ...THEY JUST SAID THAT IT WASN'T ILLEGAL IN NEVADA AND THEY ARE CHOOSING NOT TO OPERATE. [LB970]

SENATOR CHAMBERS: I'M GOING TO READ FROM A NEWSPAPER THAT SOME PEOPLE IN HERE THINK HAS INTEGRITY AND IS BASED ON FACT. THIS NEWSPAPER IS CALLED THE WALL STREET JOURNAL. THE DATE OF THIS ARTICLE IS FEBRUARY 16, 2016. THIS PARAGRAPH SAYS: THE COMPANIES ARE ALSO FACING CIVIL LAWSUITS FROM CONSUMERS AS WELL AS INVESTIGATIONS BY THE U.S. JUSTICE DEPARTMENT. DRAFTKINGS AND FANDUEL ALREADY HAVE PULLED OUT OF HAWAII AND NEVADA, BOTH STATES WHERE OFFICIALS HAVE SAID THE BUSINESS IS ILLEGAL. NOW, I'M READING FROM THE WALL STREET JOURNAL WHAT OFFICIALS IN NEVADA SAID. THE WALL STREET JOURNAL SAYS THAT NEVADA OFFICIALS SAID THAT THIS ACTIVITY IS ILLEGAL IN NEVADA. NOW, I'M ACCEPTING WHAT THE WALL STREET JOURNAL SAID. SENATOR LARSON MAY HAVE AN OPINION, BUT I'D LIKE HIM NOW THAT I HAVE JOINED THE ISSUE, AS THEY SAY IN COURT, TO GIVE US AUTHORITY WHICH HAS GREATER CREDIBILITY WITH WHAT...THAN WHAT I READ IN THE WALL STREET JOURNAL. I HAVEN'T BEEN TO NEVADA. I HAVEN'T READ THEIR LAWS. BUT BASED ON WHAT THE WALL STREET JOURNAL SAID, THEIR OFFICIALS SAID THAT THIS ACTIVITY IS ILLEGAL IN NEVADA. WHATEVER ANYBODY MAY TRY TO DO IN THE FUTURE OR WHATEVER, I'M TALKING ABOUT THE WAY THINGS ARE NOW. AND I READ OFF SOME OTHER STATES AND I HAVE POINTED OUT THAT THERE ARE DISPUTES ABOUT THE STATUS OF THIS ACTIVITY. [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR CHAMBERS: BUT ONE THING THAT IS NOT DISPUTED IS THAT IT'S GAMBLING. AND ALL THIS RAMBLING BY SENATOR SCHILZ HAS NOTHING TO DO WITH THIS ACTIVITY. AND WHEN I GET A CHANCE TO SPEAK AGAIN, I'M GOING TO HAVE HIM EXPLAIN FOR US WHAT BANKSHOT IS SINCE HE IS THE AUTHORITY. THEN I'M GOING TO ASK HIM TO EXPLAIN HOW WHAT YOU DO IN FANTASY SPORTS BETTING EQUATES TO WHAT YOU DO IN BANKSHOT. BANKSHOT IS NOT A GAME WHERE YOU SIT AND WATCH AND YOU TRY TO PREDICT THE OUTCOME. YOU CAN MANIPULATE THAT GAME YOURSELF. YOU HAVE AN IMPACT ON THAT GAME...OH, I'M NOT GOING TO TELL YOU HOW. I'LL LET SENATOR SCHILZ EXPLAIN THAT. AND THERE'S NOT ENOUGH TIME ON THIS OPPORTUNITY THAT I HAVE FOR HIM TO DO IT AND I WANT TO BE FAIR AND GIVE HIM WHATEVER TIME HE NEEDS. BUT WE ARE DEALING WITH SITUATIONS WHERE PEOPLE ON THE OTHER SIDE WANT TO SAY THAT I'M FAST AND LOOSE WITH WHAT I SAY. [LB970]

Floor Debate
February 19, 2016

SPEAKER HADLEY: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR KOLOWSKI, YOU'RE RECOGNIZED. [LB970]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. I STAND IN OPPOSITION TO LB970 AND SUPPORTING SENATOR CHAMBERS' MOVE TO INDEFINITELY POSTPONE THIS BILL. I HOPE WE'LL LISTEN VERY CAREFULLY TO THE DIALOGUE THAT'S TAKING PLACE HERE IN THIS VERY IMPORTANT BODY AND I HOPE THAT WE'LL HAVE OUR QUESTIONS LINED UP AND READY TO GO AS WE CONTINUE ON THIS DISCUSSION. I YIELD THE REST OF MY TIME TO SENATOR CHAMBERS AT THIS TIME. THANK YOU. [LB970]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 4:20. [LB970]

SENATOR CHAMBERS: THANK YOU, SENATOR KOLOWSKI. THANK YOU, MR. SPEAKER. AND IF SENATOR SCHILZ WOULD YIELD, I WOULD LIKE TO ASK HIM A QUESTION OR TWO. [LB970]

SPEAKER HADLEY: SENATOR SCHILZ, WILL YOU YIELD? [LB970]

SENATOR SCHILZ: YES. [LB970]

SENATOR CHAMBERS: SENATOR SCHILZ, YOU'RE NOT THE FIRST ONE TO SAY THAT BANKSHOT IS CONSIDERED TO BE A GAME OF SKILL. YOU HAD CHALLENGED MISS LOONTJER TO GO PLAY SOME FANTASY SPORTS. WOULD YOU EXPLAIN FOR THIS BODY WHAT BANKSHOT IS AND HOW THE GAME IS PLAYED? [LB970]

SENATOR SCHILZ: AND I HAVE TO BE HONEST, I AM IN THE SAME POSITION AS MS. LOONTJER. I HAVE NOT PLAYED BANKSHOT. BUT AS I UNDERSTAND IT, YOU...IT'S A GAME THAT SPINS. AND THEN WHEN EVERYTHING COMES...AND YOU ANSWER QUESTIONS AND THEN YOU GET OPPORTUNITIES THAT...WHEN THINGS COME UP, THEN YOU CAN HAVE THE ABILITY TO MOVE OTHER PIECES THAT MATCH IN LINE AND THEY CALL THAT SKILL. ALL I KNOW IS WHAT FOLKS

Floor Debate
February 19, 2016

HAVE SAID...THE COURTS HAVE SAID ABOUT BANKSHOT BEING A GAME OF SKILL. AND THAT SHOULD BE GOOD ENOUGH FOR ALL OF US. [LB970]

SENATOR CHAMBERS: BUT YOU CANNOT EQUATE WHAT HAPPENS IN THE GAME OF BANKSHOT WITH THIS FANTASY SPORTS AND THE REASON I'M ASKING YOU, YOU INDICATED THAT MS. LOONTJER HAD NEVER PARTICIPATED IN THIS ACTIVITY. AND THAT'S ALL I'M GOING TO ASK YOU. BUT I'M JUST EXPLAINING WHY I ASK HIM THOSE QUESTIONS. IF HE'S GOING TO ASK SOMEBODY ELSE TO HAVE DONE SOMETHING, HE OUGHT TO HAVE DONE IT HIMSELF. MAYBE HE DIDN'T EXPECT ANYBODY TO ASK HIM QUESTIONS ABOUT BANKSHOT. NOW, I KNOW SENATOR MELLO CAN EXPLAIN IT. BUT I WILL TALK TO HIM ON THAT THE NEXT TIME I HAVE A CHANCE TO SPEAK. SENATOR LARSON WILL HAVE A CHANCE ON HIS TIME TO DISPUTE WHAT IS SAID IN THE WALL STREET JOURNAL. AND IN THE SAME WAY THAT I DIDN'T WANT YOU TO JUST TAKE MY WORD FOR IT, WE SHOULD ASK HIM TO GIVE US THE AUTHORITY HE BASES WHATEVER HE'S GOING TO SAY ON. REMEMBER, THE OFFICIALS IN NEVADA SAID THAT WHAT THESE TWO COMPANIES ARE DOING WITH THIS FANTASY SPORTS IS ILLEGAL IN THEIR STATE. THAT'S WHAT THEY SAID. NOW, WHY WOULD THE TWO COMPANIES PULL OUT OF THE STATE? BECAUSE THEY'VE BEEN TOLD WHAT YOU'RE DOING IS ILLEGAL HERE. WHAT COMPANY IS GOING TO STAY WHERE THEY'RE NOT ALLOWED TO PURSUE THEIR ACTIVITIES? BUT HERE IS WHAT I WANT TO KEEP EMPHASIZING. WE, FROM THE OTHER SIDE, ARE NOT HEARING FACTS. WE HEAR SENATOR LARSON CONTINUE TO SAY IT'S CONSUMER PROTECTION. THAT'S NOT WHAT THIS BILL IS ABOUT. IT'S TO LEGALIZE OR ATTEMPT TO LEGALIZE A FORM OF GAMBLING THAT IS PROHIBITED BY THE CONSTITUTION. SO YOU MIGHT ASK IF I'M SO CONVINCED THAT IT'S PROHIBITED BY THE CONSTITUTION, WHY WILL I FIGHT AGAINST IT SO HARD? BECAUSE AS I SAID, I RESPECT THE CONSTITUTION. I RESPECT THE CONSTITUTION. IF WE WERE DEALING ONLY WITH A FORM OF GAMBLING WHICH THE CONSTITUTION ALLOWS, THEN MY ARGUMENT WOULD BE THAT WE SHOULD NOT MAKE MORE OF THAT TYPE OF GAMBLING AVAILABLE. [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR CHAMBERS: I WOULD NOT ARGUE THAT IT'S UNCONSTITUTIONAL. THERE ARE LOBBYISTS BEING PAID TO PUSH THIS ACTIVITY AND IF YOU READ THE COMMITTEE STATEMENT, THERE ARE PEOPLE WHO MAY HAVE TAKEN A POSITION OF NEUTRALITY ON A BILL. BUT THE BIG KICKER WAS NOT A PART OF THE ORIGINAL BILL. I'D LIKE TO ASK SENATOR LARSON A QUESTION. [LB970]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
February 19, 2016

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR CHAMBERS: SENATOR LARSON, WAS THERE A PUBLIC HEARING CONDUCTED ON THIS SPORTS BETTING THAT WE'RE TALKING ABOUT NOW? [LB970]

SENATOR LARSON: THIS ISN'T SPORTS BETTING. BUT THERE WAS A PUBLIC HEARING ON LB862. [LB862 LB970]

SENATOR CHAMBERS: AND WHAT WAS...ON WHAT BILL? [LB970]

SENATOR LARSON: LB862, AND LB970 ACTUALLY. [LB862 LB970]

SENATOR CHAMBERS: BUT WHEN LB970 WAS BEING HEARD, THIS WAS NOT A PART OF LB970, WAS IT? [LB970]

SENATOR LARSON: NO, THIS WAS--ARE WE TALKING SPECIFICALLY THE FANTASY SPORTS?--WAS LB862. [LB862 LB970]

SENATOR CHAMBERS: AND WERE THERE PEOPLE WHO TESTIFIED IN OPPOSITION TO THAT 800 NUMBER BILL? [LB970]

SPEAKER HADLEY: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR KOLOWSKI AND SENATOR CHAMBERS. SENATOR LARSON, YOU'RE RECOGNIZED. [LB970]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. AGAIN, SENATOR CHAMBERS CAN ACCUSE ME AND SAY HE'S NOT BEING FAST AND LOOSE WITH THE FACTS. ESSENTIALLY, IN THE STATE OF NEVADA YOU HAVE TO OPERATE WITH A LICENSE. SO HE CAN SAY THAT THEY'RE ILLEGAL, BUT THAT'S BECAUSE THEY HAVEN'T HAD...THEY DON'T HAVE A GAMING LICENSE. IF WE PASS THIS BILL, LB970, A FANTASY SPORTS COMPANY WOULD BE ILLEGAL IN NEBRASKA IF THEY

Floor Debate
February 19, 2016

DIDN'T REGISTER AND GET A LICENSE. IT'S THE SAME CONCEPT, SENATOR CHAMBERS, AND YOU'RE MISCONSTRUING THE TRUTH, SOMETHING THAT YOU CONTINUE TO EXCEL AT. SO IF THEY DON'T HAVE A LICENSE, YES, THEY ARE ILLEGAL. THEY CHOOSE NOT TO HAVE A LICENSE. SO AGAIN, DO YOUR HOMEWORK BEFORE YOU SPEAK. I WANT TO DEVIATE FOR AN INSTANT. I JUST HANDED OUT A LETTER FROM THE OMAHA STORM CHASERS ASKING FOR YOUR SUPPORT OF WHAT WAS THEN LB862 BUT HAS BEEN ROLLED INTO LB970 THAT DISCUSSES HOW IMPORTANT IT IS TO THE STATE OF NEBRASKA. AND WE CAN CONTINUE TO TALK ABOUT THE RELATIONSHIPS THAT WE HAVE...THAT THESE HAVE WITH ORGANIZATIONS LIKE THE NFL, MAJOR LEAGUE BASEBALL, WHICH IS ONE OF THE MOST ANTIGAMING INSTITUTIONS. WE HAVE PETE ROSE AS THAT EXAMPLE. COLLEAGUES, EARLIER THIS YEAR ON LB619 WAS A POKER BILL, AND WE HEARD SENATOR CHAMBERS MAKE THE ARGUMENT IF IT WAS CONSTITUTIONAL, WHY AREN'T THEY DOING IT NOW? IF THIS WAS CONSTITUTIONAL, THEY WOULD BE DOING IT NOW. THEY WOULD BE OPERATING WITHIN THE CONSTITUTION AND IF IT WAS CONSTITUTIONAL, NOBODY WOULD STOP THEM. WELL, GUESS WHAT, SENATOR CHAMBERS? THAT ARGUMENT YOU USED ON LB619, SOME MAY HAVE FORGOTTEN. I DIDN'T. THEY ARE DOING IT NOW; 300,000 NEBRASKANS ARE DOING IT NOW BUT YET YOU'RE STILL SAYING IT'S UNCONSTITUTIONAL. COLLEAGUES, YOU'RE NOT PROTECTING NEBRASKANS BY VOTING NO ON LB970. YOU'RE HURTING NEBRASKANS. YOU'RE HURTING NEBRASKANS. IF YOU WANT NEBRASKANS TO BE TAKEN ADVANTAGE OF, VOTE RED OR VOTE GREEN ON THE INDEFINITELY POSTPONE. THREE HUNDRED THOUSAND NEBRASKANS YOU'RE GOING TO ALLOW TO BE SUBJECT TO AUTO DRAFTING, AUTO SCRIPTING, AND OTHER PRACTICES...CONSUMER PROTECTION PRACTICES THAT WE'RE WORKING TO HAVE IN THIS BILL. YOU HURT NEBRASKANS. LET'S LOOK AT WHAT OTHER STATES ARE DOING. OTHER STATES REALIZE, STATES THAT WANT THIS TO HAPPEN OR STATES THAT UNDERSTAND THAT THESE ARE CONSUMER PROTECTIONS. IN ALABAMA, A SIMILAR BILL JUST WENT THROUGH THE JUDICIARY COMMITTEE, HEAVILY CONSERVATIVE STATE, 10-2; ARIZONA, 5-2... [LB862 LB619 LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR LARSON:MISSISSIPPI, UNANIMOUS 12-0; OKLAHOMA, 8-1; VIRGINIA, IT PASSED THE HOUSE 479-19 AND IT PASSED THE COMMITTEE 11-4. COLLEAGUES, ACROSS THE COUNTRY, PEOPLE SEE THIS AS CONSUMER PROTECTION, YET HERE IN NEBRASKA YOUR HEAD...OUR HEADS ARE SO DEEP IN THE SAND TRYING TO PROTECT OURSELVES FROM GAMING, YOU'RE GOING TO LET COMPANIES TAKE ADVANTAGE OF OTHER NEBRASKANS. SENATOR CHAMBERS, IF YOU THINK THIS

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
February 19, 2016

IS A GAME OF SKILL, I CHALLENGE...A GAME OF CHANCE, I CHALLENGE YOU TO GO UP...AND WE CAN SET IT UP TO PLAY AN EXPERIENCED FANTASY SPORTS PLAYER AND BY YOUR LOGIC, YOU SHOULD WIN 50 PERCENT OF THE TIME. JUST PICK RANDOM PLAYERS, RIGHT? JUST PICK RANDOM ONES AND YOU SHOULD WIN 50 PERCENT... [LB970]

SPEAKER HADLEY: TIME, SENATOR. [LB970]

SENATOR LARSON: ...OF THE TIME. I DOUBT IT. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR LARSON. MR. CLERK FOR ANNOUNCEMENTS. [LB970]

CLERK: THANK YOU, MR. PRESIDENT, SOME ITEMS. URBAN AFFAIR COMMITTEE CHAIRED BY SENATOR CRAWFORD REPORTS LB806 TO GENERAL FILE WITH AMENDMENTS. HEALTH AND HUMAN SERVICES CHAIRED BY SENATOR CAMPBELL REPORTS LB891 AND LB979 TO GENERAL FILE WITH AMENDMENTS. SENATOR KOLTERMAN WOULD LIKE TO PRINT AN AMENDMENT TO LB901. RECEIVED A REFERENCE REPORT. AND IN ADDITION, MR. PRESIDENT, PRIORITY BILL DESIGNATIONS: SENATOR WATERMEIER, LB744; SENATOR HANSEN, LB947; SENATOR GLOOR, LB1013; SENATOR LARSON, LB821; GOVERNMENT COMMITTEE, LB935; LB886, BY SENATOR DAVIS. AND FINALLY, MR. PRESIDENT, I'VE RECEIVED A CONFLICT OF INTEREST DECLARATION THAT WILL BE ACKNOWLEDGED. THAT'S ALL THAT I HAVE. THANK YOU. (LEGISLATIVE JOURNAL PAGES 653-658.) [LB806 LB891 LB979 LB901 LB744 LB947 LB1013 LB821 LB935 LB886]

SPEAKER HADLEY: THANK YOU, MR. CLERK. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB970]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR LARSON WOULD YIELD TO A QUICK QUESTION. [LB970]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR BLOOMFIELD: SENATOR LARSON, ON THE LAST LINE OF YOUR STATEMENT OF INTENT... [LB970]

Floor Debate
February 19, 2016

SENATOR LARSON: STATEMENT OF INTENT OR COMMITTEE STATEMENT? [LB970]

SENATOR BLOOMFIELD: STATEMENT OF INTENT. [LB970]

SENATOR LARSON: OKAY. [LB970]

SENATOR BLOOMFIELD: IT SAYS THAT THIS ALSO REMOVES THE FIVE-MINUTE WAITING PERIOD ON KENO. HAS THERE BEEN ANY CHANGE TO THAT, OR ARE WE STILL ELIMINATING THAT WITHIN THE BILL? [LB970]

SENATOR LARSON: SO PROCEDURALLY WE'RE ON SENATOR CHAMBERS' MOTION TO INDEFINITELY POSTPONE. ONCE THAT'S DONE...ONCE WE DISPOSE OF THAT, I THEN GET TO INTRODUCE LB970 AND THE COMMITTEE AMENDMENT TO FOLLOW. THE COMMITTEE AMENDMENT THAT FOLLOWS IT, WE TAKE OUT THE FIVE-MINUTE THING. SO WE ESSENTIALLY DISPOSE OF SENATOR CHAMBERS' MOTION, THEN IT GOES TO LB970. I INTRODUCE IT, THEN I INTRODUCE MY COMMITTEE AMENDMENT. AND IN THAT COMMITTEE AMENDMENT WE TAKE AWAY THE FIVE-MINUTE...THERE WILL STILL BE A FIVE-MINUTE WAIT PERIOD BETWEEN GAMES AS PUT INTO THE COMMITTEE AMENDMENT. [LB970]

SENATOR BLOOMFIELD: OKAY. [LB970]

SENATOR LARSON: IS THAT WHAT WE WERE LOOKING...? [LB970]

SENATOR BLOOMFIELD: THAT'S THE ANSWER I WAS LOOKING FOR, YES. [LB970]

SENATOR LARSON: I KNOW SENATOR SCHNOOR TALKED ON THE MIKE THAT THERE'S STILL CREDIT CARDS IN IT. WELL, YES, THERE ARE, BUT THAT'S BECAUSE WE HAVE TO DISPOSE OF THE CHAMBERS MOTION FIRST, AND THEN WE GO TO LB970 AND WE CAN... [LB970]

SENATOR BLOOMFIELD: AND THE CREDIT CARDS ALSO COME OUT AT THAT TIME? [LB970]

SENATOR LARSON: NOT IN THE COMMITTEE AMENDMENT. SENATOR MELLO IS INTRODUCING AN AMENDMENT TO TAKE THE CREDIT CARDS OUT BECAUSE, AGAIN, WE WERE...AS I TRIED TO SHOW YESTERDAY AND YESTERDAY WAS AN

Floor Debate
February 19, 2016

EXERCISE OF AGAIN SENATOR CHAMBERS TRYING TO PUNISH ME FOR TODAY, WE ARE WORKING TO MEET THE COMPRISE. THE COMMITTEE FELT COMFORTABLE WITH CREDIT CARDS, BUT THE BODY DID NOT. SO WE WANT TO TAKE CREDIT CARDS OUT. [LB970]

SENATOR BLOOMFIELD: AND SENATOR MELLO WILL BE INTRODUCING AN AMENDMENT TO DO IT. [LB970]

SENATOR LARSON: THAT'S MY UNDERSTANDING. [LB970]

SENATOR BLOOMFIELD: OKAY. I DON'T SEE SENATOR MELLO BACK THERE TO CONFIRM THAT. I GUESS AT THIS TIME, MR. PRESIDENT, I'D YIELD MY TIME TO SENATOR CHAMBERS. [LB970]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 2:50. [LB970]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. I'D LIKE TO ASK SENATOR LARSON A QUESTION. [LB970]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR CHAMBERS: SENATOR LARSON, DID YOU HEAR WHAT I READ IN THE WALL STREET JOURNAL? [LB970]

SENATOR LARSON: I DID. [LB970]

SENATOR CHAMBERS: AND YOU'RE SAYING THE WALL STREET JOURNAL IS WRONG. [LB970]

SENATOR LARSON: NO, I SAID THAT... [LB970]

SENATOR CHAMBERS: OKAY, WELL, I READ WHAT IT SAID. THEY SAID IT'S ILLEGAL. THE OFFICIALS... [LB970]

Floor Debate
February 19, 2016

SENATOR LARSON: BECAUSE THEY DON'T HAVE A LICENSE, SENATOR CHAMBERS. [LB970]

SENATOR CHAMBERS: JUST A MINUTE. I SAID I'M READING WHAT THE WALL STREET JOURNAL SAID AND I ACCEPT THEM. BUT HERE'S WHAT I WANT TO ASK YOU. YOU WERE READING WHAT HAS HAPPENED WITH THIS KIND OF LEGISLATION IN VARIOUS STATES IF I HEARD YOU CORRECTLY, IS THAT RIGHT? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR CHAMBERS: NOW, EVERY ONE OF THOSE STATES HAS TWO HOUSES IN ITS LEGISLATURE. READ OFF THE STATES WHERE IT WOUND UP ON THE FLOOR OF THE SENATE IN ONE OF THOSE STATES. [LB970]

SENATOR LARSON: THIS IS JUST GETTING STARTED IN A NUMBER OF STATES, SENATOR CHAMBERS. US, LIKE EVERY OTHER STATE... [LB970]

SENATOR CHAMBERS: THANK YOU. [LB970]

SENATOR LARSON: ...ARE JUST GETTING INTO THE DEBATE ON THE FLOOR. [LB970]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, SENATOR LARSON SAYS MORE THAN HE KNOWS. THERE MIGHT BE ONE STATE WHERE IT MADE IT TO THE FLOOR. CLEARING A COMMITTEE IS NOT SAYING THAT STATE APPROVES OF IT. GETTING SOMETHING THROUGH THE HOUSE IN ONE OF THOSE STATES IS NOT NEARLY AS DIFFICULT AS GETTING IT THROUGH THE SENATE IN ONE OF THOSE STATES. STATES THAT HAVE TWO HOUSES OF THE LEGISLATURE HAVE DIFFERENT AGE LIMITS FOR THE SENATE AND THE HOUSE AND THERE IS A LOWER AGE LIMIT FOR THE HOUSE. SENATOR LARSON GETS ON A HOBBY HORSE OR SOMEBODY IN THE LOBBY WILL TELL HIM ONE THING AND HE DOESN'T KNOW THE WHOLE STORY. AND HE THINKS BY TALKING LOUD, IT'S GOING TO MAKE IT TRUE. BUT THE TRANSCRIPT OF WHAT WE'RE SAYING WILL BE THERE. I READ FROM THE WALL STREET JOURNAL; HE HAS READ FROM NOTHING. [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

Floor Debate
February 19, 2016

SENATOR CHAMBERS: IF HE SAYS THAT THEY'RE ILLEGAL BECAUSE THEY DON'T HAVE A LICENSE, THEN THEY'RE ILLEGAL. THAT IS WHAT THE WALL STREET JOURNAL SAID. THE WALL STREET JOURNAL QUOTED NEVADA OFFICIALS WHO SAID IT'S ILLEGAL. WHATEVER REASON THEY HAVE, THAT'S WHAT'S IN THE WALL STREET JOURNAL. HE'S TELLING YOU THAT I GUESS...I'M NOT GOING TO SAY WHAT HE'S TRYING TO GET AT, BUT HE SAYS THAT THE WALL STREET JOURNAL IS WRONG. AND I HAVEN'T HEARD ANYTHING FROM HIM THAT WOULD MAKE ME THINK THAT THE JOURNAL MISREPORTED, AND CERTAINLY NOT WHAT HE SAYS. AND HE DOESN'T KNOW WHAT'S HAPPENING IN OTHER STATES. HE, BEFORE HE TELLS US WHAT THESE OTHER STATES HAVE DONE, SHOULD BE ABLE TO TELL ME HOW MANY OF THOSE STATES DID THIS BILL OR LEGISLATION OF THIS KIND REACH THE FLOOR OF THE SENATE. SO I AM GOING TO ASK HIM AGAIN. HOW MANY STATES DID YOU SAY HAVE CONSIDERED THIS, SENATOR LARSON? [LB970]

SENATOR LARSON: IT HAS PASSED THE SENATE IN... [LB970]

SPEAKER HADLEY: TIME, SENATOR. [LB970]

SENATOR LARSON: ...VIRGINIA, WEST VIRGINIA, KANSAS, AND FLORIDA. [LB970]

SPEAKER HADLEY: TIME, SENATORS. [LB970]

SENATOR CHAMBERS: IT HAS... [LB970]

SPEAKER HADLEY: TIME. [LB970]

SENATOR CHAMBERS: THANK YOU. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR COASH, YOU'RE RECOGNIZED. [LB970]

SENATOR COASH: THANK YOU, MR. PRESIDENT. COLLEAGUES, I'VE GOT A FEW BOGEYMAN WORDS, PHRASES THAT I'M GOING TO PUT FORTH AND JUST SEE WHAT THE BODY DOES. OKAY, ARE YOU READY? HERE'S THE FIRST ONE: MEDICAID EXPANSION. HERE'S THE NEXT ONE: EXPANDED GAMBLING. WHENEVER THOSE TWO PHRASES ARE UTTERED IN THIS BODY, PEOPLE GO, "PHHFT", RIGHT TO BOTH SIDES OF THE AISLE. AND NOBODY CARES TO LISTEN

Floor Debate
February 19, 2016

TO WHAT THE ACTUAL BILL DOES. ALL THEY DO IS GO TO THEIR SIDE, HUNKER DOWN, AND CLOSE THEIR EARS AND REFUSE TO LISTEN TO WHAT THE BILLS DO. I'VE SAT THROUGH HEARINGS ON GAMBLING ISSUES NOW FOR EIGHT YEARS. SOME OF THE PROPOSALS I'VE AGREED WITH; SOME OF THEM I HAVE NOT. BUT I WILL TELL YOU, THE OPPONENTS OF THESE GAMBLING BILLS--AND I'M GOING TO CALL THEM OUT--GAMBLING WITH THE GOOD LIFE IS PROBABLY THE MOST UNEDUCATED GROUP OF PEOPLE I HAVE EVER SEEN IN A COMMITTEE HEARING. ALL THEY DO IS SAY THIS IS EXPANDED GAMBLING; THEREFORE, WE CAN'T DO IT. WE'RE OPPOSED TO IT. AND WHEN ASKED, DOES THIS GO AGAINST THE CONSTITUTION? THEY SAY, WELL, IT'S EXPANDED GAMBLING, SO WE'RE NOT FOR IT. THEY HAVE COMPETENT COUNSEL WHO WILL CHALLENGE CONSTITUTIONALITY AND THEY HAVE DONE IT. LET'S LOOK AT WHAT THEY HAVE DONE WITH WHAT'S PURPORTED UNDER LB970. FANTASY SPORTS GAMBLING IS HERE. IT'S BEEN ENGAGED IN BY 300,000 NEBRASKANS AND NOT ONE LAWSUIT HAS BEEN PUT IN FRONT OF THE COURT TO SAY WHAT IS ALREADY HAPPENING GOES AFOUL OF OUR CONSTITUTION AND, THEREFORE, WE WANT IT THROWN OUT. THEY WON'T DO IT BECAUSE IT'S NOT ILLEGAL. THE PORTION OF LB970 THAT WE'VE BEEN TALKING ABOUT WITH FANTASY SPORTS IS A REGULATORY BILL. IT IS NOT A LEGALIZATION BILL. BUT THOSE OF YOU WHO HEAR THE WORD EXPANDED GAMBLING CAN'T HEAR THAT BECAUSE THAT'S ALL GAMBLING WITH THE GOOD LIFE IS GOING TO TELL YOU. THIS IS EXPANDED GAMBLING. IT'S NOT. THIS IS REGULATING SOMETHING THAT IS ALREADY HERE. COLLEAGUES, IF YOU'RE AFRAID ABOUT SOMEONE'S FAMILY STRUCTURE BEING HARMED BY FANTASY SPORTS, YOU SHOULD VOTE FOR THIS BILL OR AT LEAST THIS PROVISION OF THE BILL BECAUSE WHAT LB970 DOES IS PUT A REGULATORY FRAMEWORK AROUND WHAT IS ALREADY HERE. AND IF THOSE WHO THOUGHT THIS WAS AFOUL OF THE CONSTITUTION REALLY BELIEVE THAT, THEY WOULD BRING A LAWSUIT. WE HEARD TESTIMONY ABOUT WHAT'S GOING ON IN OTHER STATES. MAKE NO MISTAKE WHAT'S HAPPENING IN NEVADA AND OTHER STATES THAT HAVE OUTLAWED THIS, IT HAS NOTHING TO DO WITH EXPANDED GAMBLING. IT HAS TO DO WITH KEEPING OUT YOUR COMPETITION. WHAT HAPPENS IN NEVADA? WHAT DRIVES THAT STATE? CASINOS DRIVE THAT STATE. WHEN CASINOS SEE... [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR COASH: ...SOMETHING--THANK YOU, MR. PRESIDENT--WHEN CASINOS SEE SOMETHING THAT THREATENS THEIR LIVELIHOOD, THEY LOBBY THEIR LAWMAKERS TO GET RID OF IT. AND THEIR LAWMAKERS ARE MORE THAN HAPPY TO DO SO, BUT THEY DIDN'T GET RID OF IT IN THAT STATE. THEY SAID IF

Floor Debate
February 19, 2016

YOU WANT TO DO IT, YOU'VE GOT TO HAVE A LICENSE. AND BY THE WAY, IF YOU WANT A LICENSE HERE'S HOW MUCH IT'S GOING TO COST YOU, SO THEY PACK UP AND THEY LEAVE. COLLEAGUES, DON'T BE ROPED INTO THE EASY WAY OUT ON THIS TO SAY, WELL, I WAS TOLD THIS WAS EXPANDED GAMBLING AND I TOLD MY CONSTITUENTS I WOULD VOTE AGAINST EXPANDED GAMBLING AND SO I AM NO LONGER ABLE TO SUPPORT ANYTHING THAT IS PURPORTED UNDER LB970. USE YOUR HEADS. READ THE BILLS. I'VE SAT ON THE COMMITTEE. I GET A LITTLE BIT EXTRA TIME TO LEARN ABOUT THESE ISSUES AND I'M GRATEFUL FOR THAT... [LB970]

SPEAKER HADLEY: TIME, SENATOR. [LB970]

SENATOR COASH: THANK YOU, MR. PRESIDENT. [LB970]

SPEAKER HADLEY: THANK YOU, SENATOR COASH. (VISITORS INTRODUCED.)
SENATOR McCOLLISTER, YOU ARE RECOGNIZED. [LB970]

SENATOR McCOLLISTER: QUESTION, MR. SPEAKER. [LB970]

SPEAKER HADLEY: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO SEE FIVE. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB970]

CLERK: 25 AYES, 1 NAY, MR. PRESIDENT, TO CEASE DEBATE. [LB970]

SPEAKER HADLEY: DEBATE DOES CEASE. SENATOR CHAMBERS, YOU ARE RECOGNIZED TO CLOSE. [LB970]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, ON THESE MATTERS, YOU TRY TO SAVE THE BEST FOR LAST. SENATOR LARSON HAS EMPHASIZED THAT THESE TWO COMPANIES DO NOT HAVE A LICENSE IN NEVADA TO OPERATE. I'D LIKE TO ASK SENATOR LARSON A QUESTION. [LB970]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD? [LB970]

SENATOR CHAMBERS: SENATOR LARSON, IS IT THE NEVADA GAMING COMMISSION THAT GRANTS THESE LICENSES OR WITHHOLDS THEM? [LB970]

Floor Debate
February 19, 2016

SENATOR LARSON: MY...NOT FOR SURE, BUT I WOULD ASSUME IT'S THE NEVADA GAMING COMMISSION. [LB970]

SENATOR CHAMBERS: AND THAT COMMISSION REGULATES GAMBLING, ARE YOU AWARE OF THAT? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, BECAUSE I DON'T WANT MY TIME TO BE FRITTERED AWAY, THE NEVADA GAMING COMMISSION CONSIDERS THIS ACTIVITY GAMBLING. THOSE TWO COMPANIES WILL NOT SEEK A LICENSE BECAUSE THEY DO NOT WANT TO CONCEDE THAT THEY'RE GAMBLING. NOW THE NEVADA GAMING COMMISSION, THOSE PEOPLE ARE EXPERTS IN GAMBLING AND ON GAMBLING. THESE COMPANIES WILL NOT SEEK A LICENSE THERE, NOT BECAUSE SOMEBODY SAID YOU CANNOT. THE COMMISSION REGULATES GAMBLING. IF THEY ARE NOT GAMBLING, THEY DON'T NEED A LICENSE. SO WHY DON'T THEY FILE A LAWSUIT IN NEVADA SO THAT THEY WILL NOT BE PROHIBITED FROM OPERATING IN THAT STATE? BECAUSE THEY KNOW WHAT THEY ARE DOING IS GAMBLING. THE NEVADA COMMISSION KNOWS THAT IT'S GAMBLING. AND THE ONLY ONES WHO WANT TO SAY IT'S NOT ARE RUBES IN NEBRASKA WHO ARE TRYING TO TRICK THE LEGISLATURE INTO BELIEVING THAT THIS IS NOT GAMBLING. IT IS GAMBLING. ALL OF THOSE WHO ARE EXPERTS KNOW THAT IT IS GAMBLING. AND IF ANY PEOPLE ARE EXPERTS ON GAMBLING, AS I SAID, IT WOULD BE THE PEOPLE IN NEVADA. NOW, IF YOU HAVE A REGULATORY AGENCY LIKE THE DEPARTMENT OF MOTOR VEHICLES AND THEY LICENSE MOTOR VEHICLES, SOMEBODY ON A BICYCLE DOESN'T HAVE TO GET A LICENSE BECAUSE IT'S NOT A MOTOR VEHICLE. IF WHAT THESE COMPANIES ARE DOING IS NOT GAMBLING, THEY DON'T NEED A LICENSE TO OPERATE IN NEVADA. SENATOR KOLOWSKI SAID HE HOPES THAT WE'LL LISTEN. I THINK PEOPLE MIGHT BE NUMB ALREADY, BUT I'M GOING TO KEEP US ON THIS BILL AND I HAVE THOSE MOTIONS THAT WILL DO SO. BUT I'M GOING TO CONTINUE TO TALK ABOUT THE ISSUE. AND WHEN SENATOR COASH SAYS THIS IS NOT AN EXPANSION OF GAMBLING, SENATOR BLOOMFIELD ENGAGED THEM IN A DISCUSSION ABOUT PEOPLE BEING ALLOWED TO USE DEBIT CARDS AND CREDIT CARDS IN THIS ACTIVITY, THIS GAMBLING THAT'S LEGAL. IF YOU CANNOT CURRENTLY USE THOSE CARDS AND THIS BILL ATTEMPTS TO LET YOU DO THAT, THAT IS EXPANDING THE REACH OF GAMBLING. IT IS AN EXPANSION. WHENEVER YOU MAKE SOMETHING MORE THAN WHAT IT WAS, YOU EXPAND IT. YOU ARE ALLOWING GAMBLING INTERESTS TO DO WHAT THEY CURRENTLY CANNOT DO. AND ANY WAY YOU DEFINE WORDS, THAT IS AN EXPANSION. THAT

Floor Debate
February 19, 2016

COMMITTEE HAS BEEN VERY RUDE TOWARD MS. LOONTJER. THERE ARE REPORTERS WHO HAVE NOTED IT, THERE ARE CITIZENS WHO HAVE NOTED IT, AND SHE IS VERY MUCH AWARE OF IT. BUT SEE, THEY WON'T ATTACK SOMEBODY LIKE ME BECAUSE THEY COULD DO THAT ON THE FLOOR. BUT I'LL GIVE THEM AS GOOD AS I RECEIVE. BUT A WOMAN, HERE THEY COME. NOW, YOU ALL REVERE TOM OSBORNE. HE'S WORKING WITH THAT GROUP, WHICH YOU'VE JUST HEARD DISPARAGED AND DEMEANED... [LB970]

SPEAKER HADLEY: ONE MINUTE. [LB970]

SENATOR CHAMBERS: ...ON THE FLOOR--GAMBLING WITH THE GOOD LIFE. BUT THEY WOULDN'T SAY ANYTHING ABOUT TOM OSBORNE, SO THEY PICK A WOMAN. SHE WAS NOT THE ONLY ONE WHO TESTIFIED AGAINST THIS BILL. THERE WERE OTHERS. NOW, THERE WAS A NATE GRASZ FROM NEBRASKA FAMILY ALLIANCE; HE WAS NOT ATTACKED. GLEN ANDERSON TESTIFYING FOR HIMSELF; HE WAS NOT ATTACKED. WHAT DID THEY DO? THEY PICKED THE WOMAN AND ATTACKED HER. AND MEN WHO DO THAT IN MY OPINION ARE COWARDS. LET THEM ATTACK EVERYBODY WHO SPOKE AGAINST THE BILL. BUT THEY'RE NOT GOING TO DO THAT. SOMEBODY ON THE FLOOR THE OTHER DAY SAID INDIVIDUALS SHOULDN'T BE DEMONIZED BECAUSE THEY DISAGREE. WELL, THEY WANT TO DEMONIZE THIS WOMAN. [LB970]

SPEAKER HADLEY: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: THANK YOU. AND, MR. PRESIDENT, I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE IN REVERSE ORDER. [LB970]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB970]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB970]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER

Floor Debate
February 19, 2016

CALL. SENATORS WATERMEIER, MORFELD, BURKE HARR, BOLZ, PANSING BROOKS. SENATOR CHAMBERS, IF YOU WOULD CHECK IN. SENATOR HILKEMANN AND SENATOR BLOOMFIELD, IF YOU WOULD CHECK IN. SENATORS BURKE HARR, SENATOR BOLZ, SENATOR PANSING BROOKS, SENATOR HILKEMANN. MR. CLERK, THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. [LB970]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 659.) 14 AYES, 11 NAYS, MR. PRESIDENT, ON THE MOTION TO INDEFINITELY POSTPONE. [LB970]

SPEAKER HADLEY: THE MOTION TO INDEFINITELY POSTPONE DOES NOT PASS. I RAISE THE CALL. [LB970]

CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE JUST TAKEN. [LB970]

SPEAKER HADLEY: THERE'S BEEN A MOTION TO RECONSIDER THE VOTE JUST TAKEN. SENATOR CHAMBERS, YOU ARE RECOGNIZED TO OPEN ON YOUR MOTION TO RECONSIDER. [LB970]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I HAD SAID THAT I TRY TO FACILITATE OUR PROCESS. THAT CAN BE TAKEN AS A TEST VOTE. DO YOU THINK THEY HAVE 33 VOTES TO GET A CLOTURE MOTION? DO YOU REALLY BELIEVE THAT? NOW THE SECOND, DO YOU BELIEVE THAT I WILL QUIT WITHOUT TAKING THE FULL SIX HOURS HERE ON GENERAL FILE AND FOUR ON SELECT IF IT SHOULD MOVE THAT FAR? I'D LIKE TO ASK SENATOR LARSON A QUESTION. [LB970]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR CHAMBERS: SENATOR LARSON, YOU ARE A GAMBLING MAN. I DON'T MEAN THAT IN A DISPARAGING WAY, BECAUSE I COULD BE CALLED THAT, TOO, BECAUSE I'LL MAKE A WAGER OCCASIONALLY MYSELF. DO YOU THINK YOU HAVE 33 VOTES FOR THIS BILL? [LB970]

SENATOR LARSON: I DON'T KNOW. [LB970]

Floor Debate
February 19, 2016

SENATOR CHAMBERS: THANK YOU. HE'S NOT A TRUTHFUL MAN. HE DOES KNOW. HE'S BEEN AROUND HERE LONG ENOUGH AND EVERYBODY CAN SEE THE WRITING ON THE WALL. SO I THINK HE AND THE LOBBYISTS SHOULD RALLY ALL THE VOTES THEY COULD BECAUSE WE'RE GOING TO HAVE ANOTHER TEST VOTE. THIS VOTE ON THE RECONSIDERATION MOTION WILL DETERMINE HOW LONG YOU WANT TO STAY HERE ON THIS BILL. I'M LIKE ONE OF THOSE RUNNING BACKS IN FOOTBALL. THE LONGER THE GAME GOES AND THE MORE THEY PLAY THE STRONGER THEY GET. AND I'VE THOUGHT ABOUT THAT AND WONDERED HOW IT COULD BE SINCE THEY'RE RUNNING THE BALL SO MUCH, IT SEEMS THAT THEY SHOULD BE BURNING UP ENERGY. BUT MAYBE WHAT'S HAPPENING IS THAT THEY'RE WEARING DOWN THE OTHER TEAM WHILE THE RUNNING BACK SIMPLY MAINTAINS THAT STEADY, LEVEL OF ENERGY. AND WHAT WAS ABLE TO BE STOPPED OR AT LEAST HINDERED BEFORE NO LONGER CAN BE HINDERED, BECAUSE THE OTHER SIDE IS NOW TIRED. I ASSURE YOU I'M NOT GOING TO GET TIRED ON THIS BILL. IF WE COULD GO EIGHT HOURS ON IT AND PEOPLE WOULD GIVE ME THE TIME, I WOULD TAKE THE FULL EIGHT HOURS. THIS IS A MORAL QUESTION. AND IF THERE IS NO EXPANSION OF GAMBLING BY LB970--I WISH SENATOR COASH WERE HERE, BUT WHEREVER HE IS, HE CAN HEAR--IF THIS IS NOT TO EXPAND GAMBLING, WHAT DO YOU NEED THE BILL FOR? THIS BILL IS TO ALLOW SOMETHING WITH REFERENCE TO GAMBLING THAT IS NOT ALLOWED NOW AND I'M NOT EVEN REFERRING TO THE SPORTS BETTING, BECAUSE THAT'S WHAT I CALL THIS SO-CALLED FANTASY SPORT. IT'S SPORTS BETTING. IF EVERYTHING THAT THIS BILL PURPORTS TO DO, ASIDE FROM THE SPORTS BETTING, IS ALREADY LEGAL THEY DON'T EVEN NEED THE BILL. BUT THERE'S SOMETHING THE GAMBLING INTERESTS WANT IN ADDITION TO WHAT'S IN THIS BILL...WHAT THEY CAN NOW. HERE'S SENATOR COASH NOW. I'D LIKE TO ASK HIM A QUESTION OR TWO. I'D LIKE TO ASK SENATOR COASH... [LB970]

SENATOR KRIST PRESIDING

SENATOR KRIST: SENATOR COASH, WILL YOU YIELD? [LB970]

SENATOR COASH: YES. [LB970]

SENATOR CHAMBERS: SENATOR COASH, WHAT IS THE...AND I DON'T KNOW IF YOU HEARD WHAT I SAID. LET'S FORGET THE PROPOSED AMENDMENT ON THE SPORTS ASPECT OF IT. WHY DO YOU NEED THIS BILL IF THE GAMBLING INTERESTS THAT ARE LEGAL CAN DO EVERYTHING ALREADY? THIS GIVES THEM

Floor Debate
February 19, 2016

A CHANCE TO DO SOMETHING THAT THEY CAN'T DO NOW, ISN'T THAT TRUE?
[LB970]

SENATOR COASH: NO, I WOULDN'T PUT IT THAT WAY, SENATOR CHAMBERS. I WOULD SAY WHAT THIS PROVISION OF THE BILL DOES IS IT PROTECTS THEM FROM THEIR ABILITY TO CONTINUE TO DO IT. [LB970]

SENATOR CHAMBERS: I'M NOT TALKING ABOUT THE SPORTS ASPECT. [LB970]

SENATOR COASH: OKAY. [LB970]

SENATOR CHAMBERS: LB970 IN ITS ORIGINAL FORM, WHAT DOES IT...DOES IT ALLOW THE USE OF CREDIT CARDS AND DEBIT CARDS? [LB970]

SENATOR COASH: IT DOES. [LB970]

SENATOR CHAMBERS: AND ISN'T THAT SOMETHING WHICH CANNOT BE DONE RIGHT NOW AND LEGISLATION IS NECESSARY TO ALLOW IT? [LB970]

SENATOR COASH: THAT'S CORRECT. [LB970]

SENATOR CHAMBERS: SO THAT LETS THE GAMBLING INTEREST DO SOMETHING THAT THEY CURRENTLY CANNOT DO. [LB970]

SENATOR COASH: THAT'S CORRECT. [LB970]

SENATOR CHAMBERS: THANK YOU. AND THAT, BROTHERS AND SISTER, CONSTITUTES AN EXPANSION OF GAMBLING. SENATOR COASH KNOWS THAT, BUT IF I WERE NOT HERE, MAYBE HE WOULD HAVE GOTTEN AWAY WITH IT. LOOK AT HIM. HE LOOKS SO CHERUBIC. AND I HAVE TO SAY THIS AND IT'S WHY I WON'T LOOK AT HIM WHEN I AM DISCUSSING IT. HE HAS ONE OF THE MOST CHARMING LITTLE BOYS THAT I'VE MET AND I DO SEE SOMETHING OF SENATOR COASH APPEARANCEWISE WHEN I LOOK AT HIS LITTLE BOY. AND BECAUSE I SEE A LITTLE OF SENATOR COASH IN HIS LITTLE BOY, I SEE A LITTLE OF SENATOR COASH'S LITTLE BOY WHEN I LOOK AT SENATOR COASH, SO I'M NOT GOING TO BE SIDETRACKED BY THAT. THIS BILL IS AN EXPANSION OF GAMBLING. THE KIND OF GAMBLING THAT THE BILL WOULD EXPAND WOULD BE LEGAL UNDER

Floor Debate
February 19, 2016

THE CONSTITUTION. BUT THOSE LEGALIZED FORMS OF GAMBLING CAN BE REGULATED BY STATUTE. THE FACT THAT THE CONSTITUTION ALLOWS A FORM OF GAMBLING DOESN'T MEAN THAT THE LEGISLATURE HAS TO ENACT LAWS TO CARRY OUT THAT GAMBLING. IF PEOPLE VOTE AGAINST THIS BILL IN ITS ORIGINAL FORM, THE ARGUMENT WOULD NOT BE THAT WHAT IS IN THE ORIGINAL FORM OF THE BILL IS UNCONSTITUTIONAL. I HAVEN'T ARGUED THAT. I AM SAYING THAT THEY THINK BY PASSING A BILL THAT PURPORTS TO REGULATE SPORTS BETTING--THEY WANT TO KEEP CALLING IT FANTASY SPORTS--THAT ALL IT IS DOING IS REGULATING. THE WAY THAT ACTIVITY IN THAT AMENDMENT IS DRAFTED, IT WILL LEGALIZE--IF THEY COULD DO IT--NOT ONLY WHAT CURRENTLY EXISTS, BUT ANYTHING ELSE ALONG THE LINE OF THESE TYPES OF ACTIVITIES WOULD AUTOMATICALLY BE LEGAL. THERE IS NO NEED, AS EVERYBODY HAS POINTED OUT, FOR THIS LEGISLATION TO ALLOW PEOPLE WHO PLAY FANTASY SPORTS TO CONTINUE PLAYING. THEY HAVE BOTH SAID...WELL, ALL OF THEM HAVE SAID, NOBODY HAS BROUGHT A SUIT IN NEBRASKA AGAINST THESE TWO FIRMS. WELL, IF NOBODY HAS BROUGHT A SUIT, IT'S BECAUSE NONE OF THEM WHO PLAY ARE UPSET ABOUT THE WAY THINGS ARE GOING. SO IF IT'S CURRENTLY LEGAL, IF THE PEOPLE WHO ARE PLAYING IT ARE SATISFIED WITH THE WAY THE GAME GOES, WHY DO THEY NEED LEGISLATION? THEY WANT TO GIVE IT A VENEER OF BEING LEGAL AND MAKE SOMEBODY TAKE AFFIRMATIVE ACTION IN A COURT TO STRIKE IT DOWN. BUT HERE IS SOMETHING ELSE I WILL TELL YOU. FOLLOWING THE LOGIC--IF YOU WANT TO CALL IT THAT--OF SENATOR LARSON, I WILL TELL HIM, THERE ARE MORE THAN 300,000 PEOPLE IN NEBRASKA WHO ENGAGE IN SPORTS BETTING. AND I KNOW A VERY LITTLE BUILDING--I KNOW WHERE IT IS--AND ABOUT 150,000 PEOPLE PLAY THERE. SO IF YOU ARE GOING TO SAY THE FACT THAT A LOT OF PEOPLE ARE ENGAGING IN AN ACTIVITY SHOULD LEAVE THE LEGISLATURE TO SAY THAT IT'S LEGAL AND THEREFORE REGULATED, THAT APPLIES TO SPORTS BETTING TOO. PEOPLE BET ON SPORTING EVENTS, BASEBALL, FOOTBALL, BASKETBALL, HOCKEY, BOXING, AND OLYMPIC ACTIVITIES. THEY DO THAT RIGHT NOW EVERYWHERE IN THE COUNTRY. THERE ARE OFFICE POOLS WHERE THEY BET ON SPORTING EVENTS. SPORTS BETTING APPEALS TO ALL CLASSES OF PEOPLE IN THIS SOCIETY, BLUE COLLAR, WHITE COLLAR, NO COLLAR, FRILLY COLLARS, CLERGY COLLARS, ALL CLASSES OF PEOPLE GAMBLE. THAT'S NOT EVEN THE ISSUE. WHAT THEY WANT YOU TO DO IS TO PUT THE STATE'S STAMP OF APPROVAL BEHIND THIS FORM OF GAMBLING. [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

Floor Debate
February 19, 2016

SENATOR CHAMBERS: AND THE LEGISLATURE OUGHT NOT DO IT, NOT JUST BECAUSE IT SHOULD NOT ADVANCE THE CAUSE OF GAMBLING, BUT BECAUSE IT IS UNCONSTITUTIONAL. AND TO PRESENT SOMETHING AS CONSTITUTIONAL BY THIS LEGISLATURE, WHEN IT HAS BEEN SHOWN NOT TO BE, IS A PERVERSION OF WHAT WE SHOULD DO AS A LEGISLATURE. THANK YOU, MR. PRESIDENT. [LB970]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. THOSE WISHING TO SPEAK: SENATOR BLOOMFIELD, CHAMBERS, COASH, SCHNOOR, AND LARSON, AND BRASCH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB970]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. SENATOR COASH MENTIONED A MOMENT AGO THAT THERE WERE TWO TERMS THAT MADE EVERYBODY RUN TO THEIR SIDE OF THE CHAMBER. HE WAS MISTAKEN, THERE'S A THIRD; MOTORCYCLE HELMETS. ZOOM TO THE SIDE OF THE CHAMBER. MY MIND IS MADE UP ON THAT. DON'T BOTHER ME WITH THE FACTS. I'VE BEEN CONVINCED BY SOMEBODY ELSE. SO WHEN WE GET TO MOTORCYCLE HELMETS, AND WE WILL, REMEMBER THAT. PLEASE, AT LEAST TAKE A LOOK AT WHAT WE'RE GOING TO BE OFFERING. AND ON THIS GAMBLING ISSUE, I HAVE HEARD PAT LOONTJER BESMIRCHED IN HERE SEVERAL TIMES ALREADY. LADIES AND GENTLEMEN, THAT'S WRONG. YOU DON'T HAVE TO AGREE WITH WHAT SHE STANDS FOR, BUT YOU DON'T COME INTO THIS CHAMBER AND BAD MOUTH THE WOMAN. DO THAT IN YOUR OFFICE IF YOU WANT TO DO IT. DO IT TO HER FACE IF YOU WANT TO DO IT. DON'T BRING THAT TRASH IN HERE. MY PROBLEM FOR SIX YEARS WITH THE GAMBLING INDUSTRY HAS BEEN THEY REFUSE TO BRING A CLEAN, OPEN, EASY TO UNDERSTAND BILL OR A CONSTITUTIONAL AMENDMENT. THEY ALWAYS HAVE TO MUDDLE IT UP. I'M TOLD NOW BY SENATOR LARSON THAT WE'RE DOWN TO DISCUSSING PRETTY MUCH FANTASY SPORTS. I DON'T PRETEND TO UNDERSTAND IT, BUT I DO UNDERSTAND ELIMINATING THE TIME BETWEEN KENO GAMES, WHICH HE TELLS ME HE'S WANTING TO TAKE OUT. I DO UNDERSTAND PUTTING CREDIT CARDS IN BECAUSE YOU DON'T HAVE TO HAVE CASH TO PLAY. BUT HE TELLS ME THEY'RE WANTING TO TAKE THAT OUT. WELL, IF THEY DIDN'T WANT IT IN THERE, WHY IN THE WORLD WAS IT IN THE BILL TO START WITH? BRING US SOMETHING CLEAN AND CLEAR THAT WE CAN LOOK AT. I AM SITTING HERE LISTENING YET. I'M INCLINED TO OPPOSE LB970 ALL THE WAY DOWN THE LINE. LET'S SEE WHERE THE AMENDMENTS GO. IT WAS DEFINITELY ORIGINALLY EXPANDED GAMBLING. IS IT WITH THE AMENDMENTS THAT HAVE BEEN PROPOSED THAT TIDY THE BILL UP A LITTLE BIT? I DON'T KNOW. I DON'T UNDERSTAND FANTASY FOOTBALL BUT WE'VE GOT A COUPLE, THREE DAYS TO LEARN ABOUT IT. SO I WILL BE WORKING

Floor Debate
February 19, 2016

ON THAT AND I'D YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS.
THANK YOU, MR. PRESIDENT. [LB970]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS,
YOU'VE BEEN YIELDED 1:40. [LB970]

SENATOR CHAMBERS: THANK YOU, SENATOR BLOOMFIELD. THANK YOU, MR.
PRESIDENT, AND IT IS INDEED GOOD TO SEE YOU THIS MORNING. MEMBERS OF
THE LEGISLATURE, I SEE THAT SENATOR MELLO IS BACK IN THE CHAMBER, BUT
THERE'S NOT ENOUGH TIME ON THIS BRIEF AMOUNT THAT I HAVE TO ASK HIM
THE QUESTIONS I'D LIKE TO. BUT THIS BILL AND ANY OTHER GAMBLING BILL
WHICH IS BROUGHT HERE IS DESIGNED TO EXPAND GAMBLING. IT IS ALWAYS
DESIGNED TO LET SOMETHING BE DONE WHERE MORE GAMBLING CAN BE
UNDERTAKEN OR PEOPLE CAN LOSE MORE MONEY THAN CURRENTLY IS THE
CASE, OTHERWISE YOU DON'T NEED THE BILL. NOBODY HAS SHOWN A
COMPELLING REASON FOR THE BILL IN ITS ORIGINAL SHAPE AND CERTAINLY
NOT WITH THAT PROPOSED AMENDMENT ON THE FANTASY SPORTS. SO THE BILL
IN ANY FORM... [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR CHAMBERS: ...IS OBNOXIOUS, OBJECTIONABLE, AND IT OUGHT TO BE
KILLED. AND I'M GLAD THAT SENATOR BLOOMFIELD MENTIONED THE WAY THIS
COMMITTEE OR SOME OF ITS MEMBERS HAVE DONE WITH MS. LOONTJER. SHE
HAS BEEN A FAVORITE ATTACK TARGET. I MENTION THAT TOM OSBORNE WORKS
WITH THIS GROUP AND I THINK HE MAY HAVE BEEN AT A PRESS CONFERENCE IN
THIS BUILDING. I WONDER HOW MANY OF THESE MEN WHO WILL ATTACK MS.
LOONTJER WENT UP TO TOM OSBORNE AND SAID TO HIS FACE, I THINK YOUR
ORGANIZATION IS THE MOST UNINFORMED GROUP THAT EVER HAVE PRESENTED
ANYTHING TO A COMMITTEE OF THE LEGISLATURE. DO YOU THINK ANY ONE OF
THEM OR ALL OF THEM TOGETHER WOULD CONFRONT HIM? AND TOM OSBORNE
IS ABOUT AS OLD AS I AM, YOU'RE DEALING WITH AN OLD MAN. BUT I KNOW
WHAT IS AT PLAY. [LB970]

SENATOR KRIST: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: AND I THINK IT'S WRONG. THANK YOU, MR. PRESIDENT.
[LB970]

Floor Debate
February 19, 2016

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.)
SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB970]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE
LEGISLATURE, WHETHER PEOPLE NOTICE IT OR NOT, I'VE BEEN STICKING
STRICTLY TO THE SUBJECT THIS MORNING. AND THAT CAN EASILY BE DONE.
NOBODY FAVORING THIS BILL IN ITS ORIGINAL FORM OR THAT AMENDMENT
WITH FANTASY SPORTS BETTING HAS GIVEN A CONVINCING ARGUMENT. AND I'D
LIKE TO ASK SENATOR MELLO A QUESTION OR TWO NOW, BECAUSE I HAVE MOST
OF MY FIVE MINUTES. [LB970]

SENATOR KRIST: SENATOR MELLO, WILL YOU YIELD? [LB970]

SENATOR MELLO: OF COURSE. [LB970]

SENATOR CHAMBERS: SENATOR MELLO, BANKSHOT HAS BEEN MENTIONED AND
IT WAS FIRST MENTIONED BY SENATOR SCHILZ, WHO'S NEVER PLAYED THE
GAME, DOESN'T REALLY UNDERSTAND IT, BUT HE TRIED TO EQUATE THAT WITH
THIS FANTASY FOOTBALL OR SPORTS BETTING. FIRST OF ALL, I WOULD LIKE
YOU TO TELL ME WHETHER YOU KNOW WHAT THE GAME OF BANKSHOT IS.
[LB970]

SENATOR MELLO: BANKSHOT IS A GAME WHERE YOU ESSENTIALLY HELP...I'VE
SEEN IT, I'VE NOT PLAYED IT. I'VE WATCHED PEOPLE PLAY IT IN PERSON. AND
ESSENTIALLY YOU LINE UP A BALL ON THE SCREEN TO TRY TO ESSENTIALLY HIT
ANOTHER BALL OR TO GO INTO OTHER HOLES, SO TO SPEAK, ALMOST TO SOME
EXTENT KIND OF LIKE A POOL GAME IN THAT RESPECT. [LB970]

SENATOR CHAMBERS: AND YOU, IF YOU PLAY THE GAME, YOU BEGIN TO LEARN
WHAT YOU CAN DO TO INCREASE YOUR CHANCES OF MAKING THE BALLS GO
WHERE YOU WANT THEM TO GO. IS THAT TRUE? [LB970]

SENATOR MELLO: THAT WOULD BE...I WOULD SAY YOU...I WOULD AGREE WITH A
STATEMENT LIKE THAT, YES. [LB970]

SENATOR CHAMBERS: AND IF THE COURT SAID THAT IT'S A GAME OF SKILL
RATHER THAN A GAME OF CHANCE OR THAT SKILL PREDOMINATES, THE COURT

Floor Debate
February 19, 2016

IS ACCEPTING THE IDEA THAT WITH PRACTICE AND STUDY YOU CAN IMPROVE YOUR CHANCES OF WINNING. WOULD YOU AGREE WITH THAT? [LB970]

SENATOR MELLO: I WOULD AGREE WITH THAT. [LB970]

SENATOR CHAMBERS: THANK YOU. NOW SENATOR SCHILZ KNOWS WHAT BANKSHOT IS ABOUT. BUT HERE IS THE DIFFERENCE BETWEEN THAT GAME AND WHAT WE'RE TALKING ABOUT HERE. YOU CONTROL THAT GAME. THERE IS NO OUTSIDE FORCE, IF THE GAME IS NOT FIXED, WHICH IS GOING TO INTERVENE AND MAKE ANYTHING HAPPEN OTHER THAN WHAT YOU MAKE HAPPEN. AND IF YOU STUDY ANGLES AND VELOCITY AND RELATIONSHIPS BETWEEN OBJECTS THAT MOVE AND THOSE THAT DON'T, YOU MIGHT COULD COME UP WITH A MATHEMATICAL FORMULA THAT WORKS FOR YOU AND YOU CAN IMPROVE YOUR CHANCES OF WINNING. THIS SPORTS BETTING--AND THAT'S WHAT IT IS--IS ENTIRELY DIFFERENT. ALL THAT YOU DO WHICH MIGHT REQUIRE ANY HOMEWORK AND MAKE A DIFFERENCE IS TO STUDY STATISTICS ON WHAT INDIVIDUAL PLAYERS HAVE DONE. THEN YOU LOOK AT WHAT THE OTHER TEAM IS CONSISTING OF AND YOU TRY TO GET PLAYERS THAT WILL TAKE ADVANTAGE OF THE OTHER TEAM'S WEAKNESSES, BUT YOU CANNOT DO ANYTHING TO INFLUENCE THE OUTCOME OF THE GAME. WITH BANKSHOT YOU CONTROL EVERYTHING. WITH THIS ACTIVITY IT IS STRICTLY A MATTER OF CHANCE, YOU ARE GUESSING. YOU ARE GUESSING HOW THE FATES, F-A-T-E-S, ARE GOING TO BEHAVE IN THEIR VERY FICKLE WAY. AND THAT'S WHY PEOPLE, MANY OF THEM, LOSE MORE THAN THEY WIN. [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR CHAMBERS: BY MAKING IT A DAILY ACTIVITY, THAT INCREASES THE LIKELIHOOD OF LOSING. AND WHILE SENATOR LARSON AND THESE OTHERS WANT TO TALK TO YOU ABOUT HOW EXPERT THEY ARE, I BET THEY'RE NOT EVEN AWARE OF THOSE VERY SMART HIGH ROLLERS IN THIS ACTIVITY WHO CREATE COMPUTER MODELS WHERE THEY CAN PUT TOGETHER AN INFINITE VARIETY OF TEAMS USING DIFFERENT PLAYERS AND THEY WIN. AND THESE TWO COMPANIES HAVE TRIED TO FIND A WAY TO MINIMIZE WHAT THEY DO, BUT THEY DON'T HAVE THE ABILITY TO WEED OUT WHEN THIS ACTIVITY IS GOING ON AND THOSE HIGH ROLLERS AND THE BIG PLAYERS WIN AND THEY'RE WINNING FROM THE LITTLE SUCKERS WHO DON'T KNOW THAT THAT'S WHAT IS GOING ON. THEY FIX THAT ACTIVITY. AND I DEFY ANY OF THESE EXPERTS ON GAMBLING TO SHOW THAT WHAT I'M SAYING IS UNTRUE. AND SENATOR LARSON

Floor Debate
February 19, 2016

LIKES TO TALK ABOUT HIS HOMEWORK. I'D LIKE HIM TO SHOW ME WHERE HE CAN DEMONSTRATE THAT WHAT I'M SAYING IS UNTRUE. BUT ONE OF THE HIGH-MUCK-A-MUCKS IN ONE OF THESE COMPANIES HAD WHAT AMOUNTED TO INSIDER TRADING AND HE MADE SOME ACTIVITY INTO THE FORM OF BETS AFTER THE DEADLINE FOR GETTING INVOLVED AND HE MADE A \$350,000 KILLING. AND THAT'S WHAT MADE SOME STATES LOOK ASKANCE AT THIS ACTIVITY. [LB970]

SENATOR KRIST: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: OH, THANK YOU, MR. PRESIDENT. [LB970]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR COASH, YOU'RE RECOGNIZED. [LB970]

SENATOR COASH: THANK YOU, MR. PRESIDENT. I TELL YOU WHAT I'M GOING TO DO, COLLEAGUES. I SEE A BILL ON THE AGENDA I DON'T LIKE, I'M GOING TO LABEL IT EXPANDED GAMBLING. THEN WE'LL SEE WHAT PEOPLE DO. AND IF THAT DOESN'T WORK, I'LL LABEL IT EXPANDED MEDICAID. AND IF THAT DOESN'T WORK, I'M GOING TO PUT A HELMET ON IT AND SEE WHAT THIS BODY DOES WITH IT, BECAUSE WE STILL CAN'T SEEM TO GET TO WHAT THE BILL IS ACTUALLY PROPOSED TO DO. WOULD SENATOR CHAMBERS YIELD TO A QUESTION? [LB970]

SENATOR KRIST: SENATOR CHAMBERS, WILL YOU YIELD? [LB970]

SENATOR CHAMBERS: YES, I WILL. [LB970]

SENATOR COASH: SENATOR CHAMBERS, IF SOMEBODY WANTED TO ADD A NEW FORM OF BETTING THAT WAS LEGAL IN THIS STATE, WHERE WOULD THEY HAVE TO DO THAT? [LB970]

SENATOR CHAMBERS: I DON'T UNDERSTAND WHAT YOU'RE ASKING ME. [LB970]

SENATOR COASH: LET'S SAY I WANTED, AS A LEGISLATOR, TO MAKE GAMBLING ON BOXING MATCHES AND FOOTBALL GAMES AND ALL THOSE SPORTS YOU MENTIONED LEGAL. WHAT WOULD I HAVE TO DO? [LB970]

Floor Debate
February 19, 2016

SENATOR CHAMBERS: THOSE, YOU'D HAVE...IF IT'S NOT LEGAL UNDER THE CONSTITUTION, YOU'D HAVE TO AMEND THE CONSTITUTION. [LB970]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. [LB970]

SENATOR CHAMBERS: OKAY. [LB970]

SENATOR COASH: COLLEAGUES, WE DON'T HAVE A LEGISLATIVE RESOLUTION TO THE CONSTITUTION IN FRONT OF US. IF WE WANTED TO EXPAND GAMBLING, WE'D HAVE TO HAVE A CONSTITUTIONAL AMENDMENT IN FRONT OF US. NOW, WE CAN GET INTO SEMANTICS OF WHAT EXPANDED GAMBLING MEANS, BUT I'M JUST GOING TO EXPLAIN WHAT LB970 DOES. WITHIN THE CONSTITUTION, IT CHANGES THE STRUCTURE. SENATOR CHAMBERS WAS RIGHT. WITHIN THE CONSTRUCT OF KENO, IT CHANGES THE STRUCTURE. IT SAYS YOU CAN NOW PAY IN A DIFFERENT WAY THAT IS CURRENTLY PROHIBITED IN LAW. IT DOESN'T SAY YOU CAN DO IT MORE, DO IT DIFFERENTLY, IT SAYS YOU CAN PAY IN A DIFFERENT WAY. AS IT RELATES TO FANTASY SPORTS, THIS ISN'T A CONSTITUTIONAL AMENDMENT TO ALLOW IT, THIS IS A STRUCTURE WITHIN THE ALREADY EXISTING LAW. THAT'S WHAT WE'RE DOING. NOW I DON'T KNOW IF SENATOR BLOOMFIELD OR SENATOR CHAMBERS' WORDS WERE DIRECTED TO ME WHEN THEY SAID WE'RE CALLING OUT A PARTICULAR GROUP. AND I'LL REPEAT WHAT I SAID: GAMBLING WITH THE GOOD LIFE, WHEN THAT ORGANIZATION COMES, THEY DON'T KNOW WHAT THEY'RE TALKING ABOUT. ALL THEY DO IS SAY THIS IS EXPANDED GAMBLING AND PEOPLE ON THE COMMITTEE ARE EXPECTED TO RUN TO THE HILLS ON EACH SIDE. THEIR EXECUTIVE DIRECTOR IS A NICE LADY. SHE SHOWS ME PICTURES OF HER GRANDCHILDREN, BUT SHE IS A REGISTERED LOBBYIST IN THIS BODY. SHE'S NOT A CITIZEN COMING TO TESTIFY. SHE HAS GONE TO THE CLERK'S OFFICE AND SAID, I LOBBY. SHE LOBBIES FOR AN ORGANIZATION. WHEN YOU PUT ON THE ROBE OF A LOBBYIST, YOU DESERVE TOUGH QUESTIONS. YOU DESERVE TO BE ASKED ABOUT THE FACTS. AND I DON'T GET FACTS WHEN SHE TESTIFIES, I GET EMOTIONS. THAT'S WHAT I GET. LET'S REMEMBER WHO WE'RE DEALING WITH HERE. WE ARE FINE WITH LAMBASTING LOBBYISTS ON ONE SIDE. LET'S BE FAIR, LET'S DO IT ON THE OTHER SIDE. AND NONE OF THIS IS PERSONAL. THIS IS MY LAST YEAR HERE. WHAT I WANT TO SEE MOVING FORWARD IS I WANT TO SEE PEOPLE... [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

Floor Debate
February 19, 2016

SENATOR COASH: ...COME INTO THE COMMITTEE WHEN THEY REPRESENT AN ORGANIZATION, COMING AND REPRESENTING THEM WITH FACTS. WE DON'T GET THAT VERY OFTEN IN GENERAL AFFAIRS, WE GET EMOTION AND WE GET BUZZ WORDS THAT ARE SUPPOSED TO SEND PEOPLE TO THE HILLS ON ONE SIDE OR THE OTHER. HOW ARE WE SUPPOSED TO MAKE LAW WITH THAT? HOW ARE...IF LOBBYISTS ARE SUPPOSED TO HELP US FIND INFORMATION, HOW ARE WE SUPPOSED TO DO IT WITH THE KIND OF INFORMATION WE GET IN THIS COMMITTEE FROM TIME TO TIME? IT DOESN'T HAPPEN. SO WE HAVE TO LOOK AT WHAT THE PLAIN LANGUAGE OF THE BILLS IN FRONT OF US SAY AND THAT IS WHAT WE HAVE IN LB970. THANK YOU, MR. PRESIDENT. [LB970]

SENATOR KRIST: THANK YOU, SENATOR COASH. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB970]

SENATOR SCHNOOR: THANK YOU, SIR. NOW WHETHER YOU WANT TO CALL THIS EXPANDED GAMBLING OR FANTASY FOOTBALL TALK OR WHATEVER, I GUESS WHAT I WANT TO FOCUS ON ARE THE FACTS. SECTION 1 OF THE BILL, IT SAYS: A PARTICIPANT MAY USE UNITED STATES CURRENCY OR ANY METHOD OF PAYMENT REPRESENTING UNITED STATES CURRENCY IN ORDER TO PARTICIPATE IN ANY ACTIVITY AUTHORIZED UNDER THE NEBRASKA BINGO ACT, THE NEBRASKA COUNTY AND CITY LOTTERY ACT, THE NEBRASKA LOTTERY AND RAFFLE ACT, THE NEBRASKA PICKLE CARD LOTTERY ACT, THE NEBRASKA SMALL LOTTERY AND RAFFLE ACT, AND THE STATE LOTTERY ACT OR SECTION 9-701, WHICH IS...IT STATES: THE CONDUCT OF GIFT ENTERPRISES. SO I GUESS WE CAN CALL IT WHAT WE WANT, BUT THE FACTS ARE THAT THE BILL ALLOWS FOR THE USE OF CREDIT CARDS FOR THOSE PORTIONS OF GAMBLING THAT ARE CURRENTLY AUTHORIZED. SO I GUESS WE HAVE TO LOOK AT THE IRONY OF THE COMMENTS OF CONSUMER PROTECTION. WE'RE NOW GOING TO ALLOW PEOPLE TO USE THEIR CREDIT CARDS TO BUY LOTTERY TICKETS, TO PLAY PICKLE CARDS, TO I GUESS PARTICIPATE IN BINGO GAMES, SOME OF WHICH SEEM FAIRLY HARMLESS. BUT YET SOME OF THEM WHICH...SOME OF THE PEOPLE HAVE AN ADDICTION TO THIS AND WE'RE GOING TO GIVE THEM THE OPPORTUNITY TO MAKE IT WORSE. WE ALREADY HAVE A COMPULSIVE GAMBLERS ASSISTANCE FUND, ANOTHER IRONY OF THIS WHOLE DISCUSSION. SO WHETHER YOU WANT TO CALL IT EXPANDED GAMBLING OR WHETHER WE WANT TO CALL IT FANTASY FOOTBALL, THE FACT OF THE MATTER IS THE BILL PRESENTLY SAYS YOU CAN USE CREDIT CARDS, YOU CAN USE DEBIT CARDS. SO I WOULD LIKE TO KNOW IF SENATOR WILLIAMS WOULD YIELD TO A QUESTION. [LB970]

Floor Debate
February 19, 2016

SENATOR KRIST: SENATOR WILLIAMS, WILL YOU YIELD? [LB970]

SENATOR SCHNOOR: SENATOR WILLIAMS, YOU ARE IN THE BANKING BUSINESS OR WERE IN THE BANKING BUSINESS, IS THAT CORRECT? [LB970]

SENATOR WILLIAMS: YES. [LB970]

SENATOR SCHNOOR: NOW, ASSUMING I AM A CUSTOMER AT YOUR BANK, I HAVE A BANK ACCOUNT, I HAVE A DEBIT CARD. DO YOU OFFER OVERDRAFT PROTECTION? [LB970]

SENATOR WILLIAMS: YES, WE DO. [LB970]

SENATOR SCHNOOR: DOES THAT ALSO...IS THAT ALSO ALLOWED, THAT OVERDRAFT PROTECTION, DOES THAT EXTEND TO THE USE OF A DEBIT CARD? [LB970]

SENATOR WILLIAMS: YES, IT DOES, AT MOST BANKS. [LB970]

SENATOR SCHNOOR: OKAY. SO IN THEORY, I COULD GO INTO WHATEVER INSTITUTION I...I'M GOING TO PLAY KENO. I COULD RACK UP A DEBT THAT'S BEYOND WHAT I PRESENTLY HAVE IN MY ACCOUNT, AND GET OVERDRAWN AND THEN THE BANK WOULD, IF I HAVE THAT OVERDRAFT PROTECTION, THE BANK WOULD PAY THAT. IS THAT CORRECT IF THIS LAW WERE TO GO THROUGH AS IT IS? [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR WILLIAMS: THAT'S CORRECT WITH MOST OF THE BANKING SITUATIONS. THERE WOULD BE, IN ADDITION TO ALLOWING YOUR ACCOUNT TO GO INTO OVERDRAFT STATUS, THE BANK WOULD ALSO GENERATE A FEE ON THAT TRANSACTION. [LB970]

SENATOR SCHNOOR: OKAY. SO THEN HE WOULD JUST BE...THAT PERSON WOULD JUST BE DIGGING THEMSELVES FURTHER IN THE HOLE. SO I GUESS THAT'S THE EXTENT OF MY QUESTIONS. I JUST WANTED TO SHOW THAT WE CAN CALL THIS WHATEVER WE WANT, BUT THE FACTS ARE THE FACTS. WE CAN'T ALLOW STUFF

Floor Debate
February 19, 2016

LIKE THIS TO HAPPEN. THE CONSUMER PROTECTION IS MAKING SURE THAT THIS DOESN'T GO THROUGH, BASED ON THE FACTS THAT ARE IN HERE ON SECTION 1, STARTING ON THE FIRST LINE OF THE BILL. THERE IS NO AMENDMENT. THERE'S NOTHING ON FILE ANYWHERE THAT THIS IS GOING TO BE TAKEN OUT. SO THIS IS WHY I...ONE OF THE REASONS THAT I'M GOING TO CONTINUE TO OPPOSE THIS. I HAVE VERY LITTLE TIME LEFT, SO NO SENSE IN YIELDING ANY, SO THAT WILL BE ALL. THANK YOU. [LB970]

SENATOR KRIST: THANK YOU, SENATOR SCHNOOR AND SENATOR WILLIAMS. SENATOR LARSON, YOU'RE RECOGNIZED. [LB970]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. A FEW THINGS: SENATOR CHAMBERS MADE MY POINT EARLIER WHEN HE TALKED ABOUT THE SUCKERS IN THE STATE OF NEBRASKA THAT ARE SUBJECT TO THE BIG GUYS. WE'RE TRYING TO FIX THAT IN LB970, THE AUTO SCRIPTING, THE AUTO DRAFTING, WE'RE TRYING TO STOP THAT. HE WANTS TO SAY, WHAT IF WE TREATED TOM OSBORNE THE SAME AS WE TREATED A REGISTERED LOBBYIST OF PAT LOONTJER? WELL, IF COACH OSBORNE CAME IN FRONT OF MY COMMITTEE AND TESTIFIED AND SAID THE SAME THINGS, YES. HE DID COME INTO MY OFFICE ON DRAM SHOP ONE YEAR AND I TOLD HIM THE SAME THING. WILL SENATOR CHAMBERS YIELD TO A QUESTION? [LB970]

SENATOR KRIST: SENATOR CHAMBERS, WILL YOU YIELD? [LB970]

SENATOR CHAMBERS: YES. [LB970]

SENATOR LARSON: SENATOR CHAMBERS, YOU SAID ONE OF THE REASONS THAT THIS IS GAMBLING IS BECAUSE YOU CAN'T CONTROL THE PLAYERS AND YOU CAN'T CONTROL THESE ACTIONS. YES OR NO? [LB970]

SENATOR CHAMBERS: YES. [LB970]

SENATOR LARSON: ALL RIGHT, THANK YOU. SO MY NEXT QUESTION IS, IS BECAUSE OF THAT, SINCE YOU HAVE NONE OF THE CONTROL IN YOUR ESTIMATION, THEREFORE IT'S GAMBLING AND UNCONSTITUTIONAL, CORRECT? YES OR NO? [LB970]

Floor Debate
February 19, 2016

SENATOR CHAMBERS: WELL, I'M NOT GOING TO LET YOU MAKE ME ANSWER YES OR NO. THAT'S NOT A YES OR NO QUESTION. [LB970]

SENATOR LARSON: THAT'S HOW YOU ASK ME TO ANSWER THESE QUESTIONS BECAUSE YOU DON'T WANT ME TO (INAUDIBLE). [LB970]

SENATOR CHAMBERS: THEN YOU OUGHT TO BE SMART ENOUGH TO SAY YOU WON'T ANSWER IT. [LB970]

SENATOR LARSON: ALL RIGHT, SENATOR CHAMBERS. SO MY NEXT QUESTION IS, CAN YOU CONTROL WHAT A CEO DOES, OF A COMPANY, A PUBLICLY TRADED COMPANY? CAN YOU CONTROL THAT CEO? [LB970]

SENATOR CHAMBERS: NO. [LB970]

SENATOR LARSON: CAN YOU CONTROL WHAT A COMPANY'S BOARD OF DIRECTORS DOES? [LB970]

SENATOR CHAMBERS: NO. I CAN'T CONTROL WHAT YOU DO. [LB970]

SENATOR LARSON: CAN YOU...SO IF YOU CAN'T CONTROL WHAT A CEO DOES OR A BOARD OF DIRECTORS OF A PUBLICLY TRADED COMPANY DOES, DOES INVESTING IN THAT COMPANY MAKE THAT GAMBLING? [LB970]

SENATOR CHAMBERS: IT IS, AND I'VE SAID SO MANY TIMES. [LB970]

SENATOR LARSON: THANK YOU. IS THAT PERMITTED UNDER THE NEBRASKA CONSTITUTION? [LB970]

SENATOR CHAMBERS: YES, AND ALL STATES IN THIS COUNTRY, WHICH SHOWS HOW THE BIG SHOTS GET WHAT THE LITTLE SHOTS DON'T. [LB970]

SENATOR LARSON: SO... [LB970]

SENATOR CHAMBERS: SO WHAT? [LB970]

Floor Debate
February 19, 2016

SENATOR LARSON: INVESTING IN THE STOCK MARKET IS EXPLICITLY... [LB970]

SENATOR CHAMBERS: IT IS GAMBLING. [LB970]

SENATOR LARSON: IT IS GAMBLING, BUT IS IT EXPLICITLY OUTLINED IN THE NEBRASKA CONSTITUTION AS BEING LEGAL? [LB970]

SENATOR CHAMBERS: THE CONSTITUTION DOESN'T MENTION THE STOCK MARKET. [LB970]

SENATOR LARSON: IT DOESN'T. THANK YOU. AGAIN, YOU PROVE MY POINT. YOU HAD JUST SAID THAT WHEN YOU HAVE NO CONTROL OVER THE OUTSIDE FACTORS--WHICH YOU DON'T WHEN YOU INVEST IN THE STOCK MARKET--AND YOU DID JUST SAY THAT GAMBLING IS OR INVESTING IN THE STOCK MARKET IS GAMBLING, AND THAT IT IS NOT LOCATED IN THE NEBRASKA CONSTITUTION. THEREFORE, UNDER THE SAME ARGUMENT THAT YOU'RE MAKING TODAY, THAT SINCE FANTASY SPORTS IS NOT IN THE CONSTITUTION, THEREFORE IT IS UNCONSTITUTIONAL BECAUSE YOU CANNOT CONTROL THESE OUTSIDE FACTORS. YOU'RE SAYING UNDER THE SAME LOGIC INVESTING IN THE STOCK MARKET SHOULD BE UNCONSTITUTIONAL. [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR LARSON: AND THOSE BUYING THAT ARGUMENT HAVE TO UNDERSTAND THAT BECAUSE THAT'S THE ARGUMENT HE IS USING. IT IS UNCONSTITUTIONAL BECAUSE IT IS NOT EXPLICITLY STATED IN THE CONSTITUTION AND THEREFORE IS GAMBLING BECAUSE OF WHAT HE'S SAYING. WELL, HE HAS ALSO JUST SAID THAT INVESTING IN THE STOCK MARKET IS GAMBLING, BUT FOR THE RICH, MAINLY WHITE PEOPLE, AND ALSO ISN'T EXPLICITLY LAID OUT IN THE CONSTITUTION. SO I WOULD ASSUME HE FEELS IT IS UNCONSTITUTIONAL. COLLEAGUES, NEITHER ARE UNCONSTITUTIONAL. AND IN REALITY THERE ARE CONSUMER PROTECTIONS. IF ANYBODY WANTS TO GO TOE TO TOE ON THE INVESTING SIDE AND HOW I DON'T THINK IT IS GAMBLING, IF YOU WANT TO TALK INVESTING IN THE STOCK MARKET, IF YOU WANT TO TALK FIXED INCOME, IF YOU WANT TO TALK CREDIT DERIVATIVES, MORE THAN HAPPY. AND WE CAN TALK ABOUT HOW IT'S NOT GAMBLING. [LB970]

SENATOR KRIST: TIME, SENATOR. [LB970]

Floor Debate
February 19, 2016

SENATOR LARSON: THANK YOU. [LB970]

SENATOR KRIST: THANK YOU, SENATOR LARSON AND SENATOR CHAMBERS.
SENATOR BRASCH, YOU'RE RECOGNIZED. [LB970]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. AS WE'VE HEARD EVERYONE STAND UP AND SPEAK, I'VE BEEN ON THE INTERNET LOOKING UP SO MANY ARTICLES ON FANTASY FOOTBALL, FANTASY SPORTS, AND FANTASY IS WHAT IT IS. I MEAN, THERE IS A FANTASY OF WISHING AND WANTING TO WIN DOLLARS THAT TRULY ARE ONLY IN THE GRASP OF VERY FEW INDIVIDUALS. AND IF YOU READ ONE OF THE ARTICLES BY BLOOMBERG IT TALKS ABOUT AN INDIVIDUAL WHO INVESTS MILLIONS, HUNDREDS OF THOUSANDS OF DOLLARS AND MILLIONS OVER THE COURSE OF THE YEAR BECAUSE ITS BECOME A BUSINESS OF JUST WINNING MONEY FROM THOSE WHO CAN'T WIN. AND SENATOR CHAMBERS A WHILE AGO REFERRED TO THIS AS FATE, F-A-T-E. SOME OF THE ARTICLES ARE CALLING IT DUMB LUCK, JUST DUMB LUCK. I THINK WHAT WE'RE DOING HERE IS LOOKING AT TRYING TO KEEP INDIVIDUALS, MOST LIKELY WITHOUT THE WHEREWITHAL TO TRULY BE TAKING SUCH CHANCES THAT WHEN THEY NO LONGER CAN CARE FOR THEIRSELVES, THEN THEY BECOME OUR ROLE IN CARING FOR THEM. AND I DO RESPECT PAT LOONTJER FOR HER WORK, AS DOES COACH TOM OSBORNE, BECAUSE THE TWO OF THEM ARE TRYING TO LOOK OUT FOR INDIVIDUALS WHO MAY NOT BE ABLE TO RIGHTLY LOOK AFTER THEIRSELVES. AND SO THAT IS WHY I AM OPPOSED TO LB970. I DO SUPPORT RECONSIDERATION AND I WOULD LIKE TO YIELD THE REST OF MY TIME TO SENATOR CHAMBERS. [LB970]

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE YIELDED 2:50. [LB970]

SENATOR CHAMBERS: THANK YOU, SENATOR BRASCH. THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, SENATOR LARSON DOESN'T LISTEN TO WHAT GOES ON HERE OR MAYBE HE HEARD WHAT I'VE SAID IN THE PAST AND WOULD NOT ATTRIBUTE IT. YOU KNOW WHAT I'VE SAID REPEATEDLY ON THIS FLOOR TO SHOW WHY PLAYING THE STOCK MARKET IS GAMBLING, BUT IT'S APPROVED BECAUSE THE RIGHT PEOPLE DO IT? I SAID ON THE STOCK MARKET, I SAY, I SAID, ON THE STOCK MARKET YOU CAN BET A BULL MARKET, YOU CAN BET A BEAR MARKET, AND IT'S LEGAL. BUT WHEN IT COMES TO SPORTS YOU CANNOT BET ON THE CHICAGO BULLS BASKETBALL TEAM, YOU CANNOT BET ON THE CHICAGO BEARS FOOTBALL TEAM, BECAUSE ORDINARY PEOPLE BET SPORTS. THE RIGHT KIND OF PEOPLE BET THE STOCK MARKET. AND IF YOU

Floor Debate
February 19, 2016

THINK BETTING THE STOCK MARKET IS NOT GAMBLING, YOU'RE DUMBER THAN I THOUGHT ANYBODY ON THIS FLOOR WAS. AND IF IT WAS NOT GAMBLING, PEOPLE WOULDN'T TAKE A BATH. AND I'M TALKING ABOUT BIG SHOTS WHO KNOW MORE ABOUT THESE NAMES AND IDEAS THAT YOU NAMED THAT YOU DON'T REALLY UNDERSTAND. WE ALL KNOW WHAT WE'RE TALKING ABOUT WHEN WE MENTION THAT ACTIVITIES INVOLVE GAMBLING. AND IF SENATOR LARSON DOESN'T UNDERSTAND THAT I WOULDN'T EVEN TRY TO MAKE HIM UNDERSTAND, BECAUSE THE BASIC PREMISE THAT MUST BE ACCEPTED BEFORE YOU CAN HAVE A DISCUSSION, HE DOESN'T KNOW WHAT IT IS AND DOESN'T ACCEPT IT. SO I WOULDN'T TRY TO CHANGE HIS MIND. IF SOMEBODY TELLS ME THE EARTH IS FLAT, YOU THINK I'M GOING TO ARGUE ALL DAY THAT IT'S ROUND? SO THOSE OF US ON THE FLOOR WHO UNDERSTAND WHAT WE MEAN BY GAMBLING AND UNDERSTAND WHAT IS REGULATED BY THE CONSTITUTION OF THIS STATE WHEN IT COMES TO GAMBLING WHICH WE'RE TALKING ABOUT,... [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR CHAMBERS: ...WILL FOLLOW VERY WELL WHAT IT IS THAT I'M SAYING. AND THEY WILL SEE HOW SENATOR LARSON IS JUST FLAILING AND HE THINKS HE'S COMING UP WITH SOMETHING EARTHSHAKING WHEN I'VE SAID IT TIME AFTER TIME AFTER TIME AND EVEN HANDED OUT A RHYME. AND I'M GOING TO GIVE HIM A COPY OF IT, WHEN I LOCATE IT, WHERE I SHOW THAT THE ORDINARY GAMBLER IS AN HONEST MAN AND THE STOCKBROKER IS DISHONEST. SO THAT'S NOT ANYTHING NEW AND YOU DIDN'T SCORE ANY POINTS, BUT IF THAT MAKES YOU FEEL GOOD, THEN I'LL SAY, TOUCHE, YOU GOT ME. BUT ALL YOU'RE GETTING ME TO SAY IS WHAT I'VE ALWAYS SAID, PLAYING THE STOCK MARKET IS GAMBLING. IT IS NOT A SURE THING. AND THERE ARE BROKERS AND OTHERS WHO ARE JUST LIKE BOOKIES, BECAUSE THEY WANT TO MAKE SURE THEY GET THEIR 10 PERCENT OR WHATEVER THE CUT IS, WHETHER THE STOCK THEY PERSUADE YOU TO BUY PAYS OFF OR GOES IN THE TANK. THEY MAKE IT NOT BY PLAYING THE STOCK MARKET THEMSELVES, BUT BY PLAYING THE SUCKERS WHO ARE GOING TO TRY TO PLAY THE STOCK MARKET AND WILL PAY SOMEBODY TO TELL THEM HOW TO LOSE THEIR MONEY. [LB970]

SENATOR KRIST: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB970]

Floor Debate
February 19, 2016

SENATOR KRIST: THANK YOU, SENATOR BRASCH AND SENATOR CHAMBERS.
SENATOR KOLOWSKI, YOU ARE RECOGNIZED. [LB970]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. I CONTINUE TO OPPOSE
LB970 AND I YIELD THE REMAINDER OF MY TIME TO SENATOR "TOO BIG TO FAIL"
CHAMBERS. THANK YOU VERY MUCH. [LB970]

SENATOR KRIST: SENATOR CHAMBERS, 4:45. [LB970]

SENATOR CHAMBERS: THANK YOU, SENATOR KOLOWSKI. THANK YOU, MR.
PRESIDENT. AND DESPITE THESE MINOR DISTRACTIONS FROM SENATOR LARSON,
I'M GOING TO CONTINUE TO TALK ABOUT THE ISSUES THAT WE HAVE BEFORE
US. WORDS DO HAVE MEANING. SENATOR SCHNOOR POINTED OUT VERY
CLEARLY IN HIS DISCUSSION WITH SENATOR WILLIAMS HOW THIS BILL IS
INTENDED TO EXPAND GAMBLING OPERATIONS. AT A GAMBLING OPERATION
THEY ARE NOT ALLOWED TO TAKE A CREDIT CARD OR A DEBIT CARD IN THE
TYPES OF GAMBLING THAT THIS BILL DEALS WITH, AND THE FACT THAT YOU
NOW ALLOW, UNDER THIS BILL, GAMBLING OPERATIONS TO DO SOMETHING
MORE THAN WHAT THEY CAN DO NOW, YOU ARE EXPANDING THEIR REACH. YOU
ARE ALLOWING MORE THAN IS THE CASE NOW. AND IF THAT'S NOT WHAT THEY
INTEND, THEY DON'T NEED THIS BILL. BUT, SEE, BILLS LIKE THIS, JUST LIKE THE
ACTIVITY OF GAMBLING ITSELF, ENCOURAGES NOT ONLY THE CORRUPTION OF
MANNERS, NOT ONLY THE CORRUPTION OF SOCIETY, BUT THE CORRUPTION OF
PEOPLE'S HONESTY AND COMMON SENSE. EVERYBODY ON THIS FLOOR KNOWS
THAT GAMBLING IS AN ADDICTIVE ACTIVITY. IT MAY NOT ADDICT EVERYBODY
TO THE SAME EXTENT, BUT THERE IS SUCH A PROBLEM WITH GAMBLING...I'D
LIKE TO ASK...I'M GOING TO STOP THAT LINE OF THOUGHT AND ASK SENATOR
COASH A QUESTION OR TWO IF HE WILL YIELD. [LB970]

SENATOR KRIST: SENATOR COASH, WILL YOU YIELD? [LB970]

SENATOR COASH: YES. [LB970]

SENATOR CHAMBERS: SENATOR COASH, NOT QUOTING THE CONSTITUTIONAL
AMENDMENT THAT ALLOWED GAMBLING, IS THERE A PROVISION THAT SAYS A
CERTAIN AMOUNT OF MONEY MUST GO TO DEALING WITH GAMBLING
ADDICTION, HOWEVER IT'S STATED IN THE CONSTITUTION? [LB970]

Floor Debate
February 19, 2016

SENATOR COASH: I BELIEVE SO. [LB970]

SENATOR CHAMBERS: THANK YOU. WHEN YOU HAVE AN ACTIVITY WHERE WHEN YOU ALLOW THAT ACTIVITY TO OCCUR, YOU AT THE SAME TIME ACKNOWLEDGE THAT PEOPLE ARE GOING TO BECOME ADDICTED, HOW CAN A STATE DO THAT TO ITS CITIZENS? IT'S ONE THING TO SAY THAT SOMEBODY'S GOING TO GO OUT HERE AND BUY DOPE ON THE STREET, ANOTHER THING FOR THE STATE BY THE ENACTMENT OF ITS LAWS TO APPROVE OF THAT ACTIVITY. WHEN YOU ARE TALKING ABOUT CONSUMER PROTECTION, YOU ARE PROTECTING CONSUMERS NOT ONLY FROM THE PREDATOR BUT FROM THEMSELVES. SENATOR SCHNOOR WAS POINTING OUT, AND HE DID IT VERY EFFECTIVELY WITH THE ASSISTANCE OF SENATOR WILLIAMS, THAT WHEN YOU ARE DOING BUSINESS WITH THIS PLASTIC, DOWN INSIDE YOU KNOW THAT YOU'RE GOING TO BE REQUIRED TO PAY WHATEVER YOU RUN UP AS A DEBT. BUT THERE'S A DIFFERENCE IN HOW MUCH DEBT YOU WILL RUN UP WITH PLASTIC THAN WHAT YOU WILL DO WITH THE MONEY IN YOUR POCKET, BECAUSE YOU DON'T HAVE AS MUCH MONEY IN YOUR POCKET AS THE CARD, WHETHER IT'S DEBIT OR CREDIT, WILL ALLOW IN MOST INSTANCES. NOW, IF YOU'RE WARREN BUFFETT, HE MAY NOT EVEN USE CREDIT CARDS, BUT IF YOU DID, YOU WOULD HAVE MORE THAN ENOUGH MONEY TO COVER WHATEVER KIND OF DEBT THAT YOU RAN UP. FOR THE ORDINARY PERSON... [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR CHAMBERS: ...THE STATE ASSUMES THE OBLIGATION OF PROTECTING THE CITIZENS FROM PREDATORY ACTIVITIES AND PRACTICES. THE ONLY REASON THE DRUGS THAT ARE CALLED ILLEGAL ARE MADE ILLEGAL IS BECAUSE OF THE HARMFULNESS TO THE PEOPLE, EVEN IF THEY'RE JUST GOING TO CONSUME THE DRUGS THEMSELVES AND NOT SELL THEM OR GIVE THEM TO ANYBODY ELSE, BECAUSE WITH CERTAIN DRUGS IT'S AGAINST THE LAW TO POSSESS THEM. IT BECOMES A WORSE OFFENSE IF YOU POSSESS IT WITH THE INTENT TO SELL IT. BUT IF YOU POSSESS THESE SUBSTANCES AND YOU'RE GOING TO USE THEM AND ONLY USE THEM AND USE THEM IN THE COMFORT OF YOUR OWN HOME, THAT IS NOT LEGAL. THE STATE IS PROTECTING PEOPLE FROM THEMSELVES, BUT ULTIMATELY FROM THE PURVEYOR OF THE DRUGS, BECAUSE IF IT WERE NOT FOR THE PURVEYORS THE ADDICTED ONE WOULD NOT HAVE THEM. [LB970]

SENATOR KRIST: TIME, SENATOR. [LB970]

Floor Debate
February 19, 2016

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB970]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS, KOLOWSKI, AND COASH. (VISITORS INTRODUCED.) BEFORE WE CONTINUE JUST A REMINDER: ADJOURNMENT OR NOON AS A TARGET IS THE LAST TIME YOU CAN PRIORITIZE A BILL. ADJOURNMENT TODAY IS THE LAST TIME YOU CAN PRIORITIZE. THOSE STILL WISHING TO SPEAK: SENATORS SCHILZ, CHAMBERS, BLOOMFIELD, AND MURANTE. SENATOR SCHILZ, YOU'RE RECOGNIZED. [LB970]

SENATOR SCHILZ: QUESTION. [LB970]

SENATOR KRIST: QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO SEE FIVE HANDS. THE QUESTION BEFORE YOU IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED NAY. DEBATE DOES CEASE. MR. CLERK. [LB970]

CLERK: 26 AYES, 3 NAYS TO CEASE DEBATE, MR. PRESIDENT. [LB970]

SENATOR KRIST: DEBATE DOES CEASE. SENATOR CHAMBERS TO CLOSE. [LB970]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. ON THIS MOTION I WILL CLOSE. AND SINCE IT'S A RECONSIDERATION MOTION I CAN'T OFFER THAT AGAIN, BUT I ASSURE YOU I HAVE ANOTHER PRIORITY MOTION I'M GOING TO OFFER. SO ALL SENATOR SCHILZ DID WAS TO GET US ON A DIFFERENT MOTION, BUT HE CAN'T STOP ME. HE AND SENATOR LARSON TOGETHER, THE BRAIN TRUST, CANNOT STOP ME. AND THE WAY SENATOR LARSON HAS JUMPED UP EVERY TIME I'VE SAID SOMETHING, YOU KNOW ONE THING HE DIDN'T JUMP UP HERE ON? WHEN I POINTED OUT THAT THE GAMING COMMISSION IN NEVADA REGULATES GAMBLING AND THAT THESE TWO COMPANIES CHOSE NOT TO SEEK A LICENSE FROM THAT COMMISSION, BECAUSE THEY DON'T WANT TO ACKNOWLEDGE THAT WHAT THEY'RE DOING IS GAMBLING. BUT IF IT'S NOT GAMBLING THEY CAN DO IT WITHOUT A LICENSE. THAT'S HOW YOU CATCH PEOPLE LIKE SENATOR LARSON WHO THINKS HE'S SMARTER THAN HE IS. IN FACT, NOBODY'S AS SMART AS SENATOR LARSON THINKS HE IS. HE'S THE ONE WHO STARTED CALLING ME A HYPOCRITE. AND I ACCEPT ANY CHALLENGE HE LAYS DOWN. HE'S PLAYING LIKE HE'S NOT LISTENING. HE'S HEARING EVERY WORD I SAY. I'M GOING TO SAY IT AGAIN. HE DIDN'T JUMP UP AND CHALLENGE WHAT I SAID WHEN I POINTED OUT THAT THESE TWO COMPANIES REFUSE TO SEEK A LICENSE FROM THE NEVADA GAMING COMMISSION BECAUSE THE GAMING COMMISSION REGULATES GAMBLING AND THESE TWO COMPANIES DO

Floor Debate
February 19, 2016

NOT WANT TO ACKNOWLEDGE THAT WHAT THEY'RE DOING IS GAMBLING. THEY HAVE NOT SOUGHT A LICENSE. AND IF WHAT THEY'RE DOING IS NOT GAMBLING, THEY CAN DO IT WITHOUT A LICENSE AND THE GAMING COMMISSION OF NEVADA CANNOT STOP THEM. THEY DEAL WITH GAMBLING, NOT ANYTHING WHICH IS NOT GAMBLING. SO THAT TAKES CARE OF THAT ON THE NEVADA GAMING COMMISSION. AND THE PEOPLE HE'S GETTING THE INFORMATION FROM AND ADVICE ON THE SIDELINE, LET THEM CHALLENGE IT. BUT I'M GOING TO TELL YOU ALL ONE THING. HOWEVER WAY YOU SLICE IT, THIS BILL--EVEN WITHOUT THE SPORTS BETTING ASPECT OF IT--INCREASES AND EXPANDS GAMBLING ACTIVITY. IT WILL ALLOW A PERSON TO BET WITH MONEY HE OR SHE DOES NOT HAVE. WHEN YOU CAN USE THE DEBIT CARD AND THE CREDIT CARD AND YOU CAN EXCEED THE LIMIT OF BOTH OF THEM, NOT ONLY ARE YOU LETTING GO OF MORE THAN WHAT YOU HAVE IN YOUR POCKET, BUT AS SENATOR WILLIAMS--THE BANKER--POINTED OUT, THERE'S A FEE ATTACHED TO IT, SO YOU'RE EVEN DEEPER IN THE HOLE BY USING THIS CARD, EITHER ONE OF THEM. AND WHO IN HERE IS GOING TO SAY THAT THAT IS WHOLESOME AND BENEFICIAL TO SOCIETY? THERE IS NO PLACE, THERE IS NO TIME IN HISTORY WHERE GAMBLING ACTIVITY HAS BEEN SHOWN TO BENEFIT A SOCIETY, TO IMPROVE THE MORALS OF A SOCIETY, TO TEACH THE YOUNG PEOPLE HOW TO BE WISE IN THE HANDLING OF MONEY AND THE CONDUCTING OF THEIR AFFAIRS. AND THE REAL ONES WHO RUN THE BUSINESS OF GAMBLING--AND IT IS A BUSINESS, IT'S TAINTED AND IT'S CORRUPT--DON'T GAMBLE THEMSELVES. THEY PUT IT OUT THERE FOR THE SUCKERS AND THEY'LL TELL YOU THAT THEY'RE SUCKERS. THEY HAVE TERMS FOR THESE DUMMIES WHO THINK THEY KNOW HOW TO GAMBLE AND DON'T. THEY CALL THEM PIGEONS, THEY CALL THEM MARKS, A DEGRADING, DEROGATORY TERM FOR ALL OF THOSE WHO COME INTO GAMBLING. YOU'RE NOT GOING TO BEAT THE HOUSE. IN SPORTS BETTING YOU CAN THINK THAT YOU HAVE FIGURED OUT A SYSTEM,... [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR CHAMBERS: ...BUT THESE EXPERTS ON TELEVISION AND OTHER PLACES WHO TELL YOU WHICH TEAMS TO BET ON AGAINST THE SPREAD, THEY DON'T MAKE ANY MONEY BETTING AGAINST THE SPREAD. THEY DON'T DO IT, BECAUSE THEY KNOW YOU'RE NOT GOING TO WIN. THEY SELL YOU A BET THAT YOU'RE GOING TO LOSE AND YOU PAY SOMEBODY TO TELL YOU HOW TO LOSE YOUR MONEY. AND THAT SHOWS HOW DUMB THESE PEOPLE ARE AND IT SHOWS THAT THEY NEED PROTECTION. THEY NEED THE PROTECTION OF THE STATE AND THIS BILL THAT'S BEFORE US DOES NOT DO THAT. IT EXPOSES PEOPLE TO MORE OPPORTUNITIES TO GAMBLE WITH MONEY THAT THEY DON'T HAVE, THAT THEY

Floor Debate
February 19, 2016

CANNOT AFFORD TO LOSE. AND THIS LEGISLATURE SHOULD NOT DO THAT NO MATTER HOW THE PROPOSAL IS DISGUISED. AND THAT'S WHAT ALWAYS HAS TO HAPPEN WITH THESE GAMBLING BILLS. YOU CAN'T CALL THEM WHAT THEY ARE, SO THIS IS CALLED A CONSUMER PROTECTION BILL. AND IT IS NOT THAT, BUT THIS IS GOING TO BE ANOTHER TEST VOTE. LET'S SEE IF THEY GET 33 VOTES ON THIS. AND I'LL TELL YOU ALL SOMETHING, IF THEY GET 33 VOTES, THEY WILL SURPRISE ME. [LB970]

SENATOR KRIST: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB970]

SENATOR KRIST: YOU'VE HEARD THE CLOSING. THE QUESTION THAT YOU'LL BE VOTING ON IS MOTION 186. IT'S A RECONSIDER MOTION. [LB970]

SENATOR CHAMBERS: MR. PRESIDENT, I WOULD LIKE A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB970]

SENATOR KRIST: THERE'S BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB970]

CLERK: 35 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL. [LB970]

SENATOR KRIST: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS WATERMEIER, BURKE HARR, PLEASE CHECK IN. THANK YOU. SENATOR STINNER, PLEASE CHECK IN. SENATOR WATERMEIER, DAVIS, AND GROENE, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. EVERYONE IS ACCOUNTED FOR. SENATOR CHAMBERS, COULD YOU REPEAT HOW YOU WANT TO PROCEED? ROLL CALL VOTE, REGULAR ORDER. THANK YOU. MR. CLERK. [LB970]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 660.) 18 AYES, 10 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB970]

Floor Debate
February 19, 2016

SENATOR KRIST: MOTION FAILS. RAISE THE CALL. MR. CLERK, PLEASE READ THE TITLE. [LB970]

CLERK: MR. PRESIDENT, LB970. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 14, AT THAT TIME REFERRED TO GENERAL AFFAIRS, ADVANCED TO GENERAL FILE. THERE ARE GENERAL AFFAIRS COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM2020, LEGISLATIVE JOURNAL PAGE 522.) [LB970]

SENATOR KRIST: SENATOR LARSON, YOU ARE RECOGNIZED TO OPEN ON YOUR BILL. [LB970]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. LB970 AS INTRODUCED IS INTENDED TO ADDRESS VARIOUS ISSUES AFFECTING THE CHARITABLE GAMING IN GENERAL AND, SPECIFICALLY, PICKLE CARDS AND KENO. WHEN THE COMMITTEE AMENDMENTS ARE INTRODUCED I WILL GET INTO THOSE. BUT AS LB970 WAS INTRODUCED IT WOULD ALLOW ANY FORM OF PAYMENT REPRESENTING THE UNITED STATES CURRENCY UNDER VARIOUS BINGO, PICKLE CARD, LOTTERY, AND RAFFLE ACTS. CURRENTLY, ONLY CASH IS ALLOWED FOR KENO TRANSACTIONS. THIS CHANGE RECOGNIZES THE TECHNOLOGICAL ADVANCEMENTS AND HOW TRANSACTIONS TAKE PLACE AND THE SUBSEQUENT REALITY THAT PEOPLE DO NOT CARRY AROUND AS MUCH CASH AS THEY ONCE DID. FOLLOWING THIS THERE WILL BE ADDITIONAL AMENDMENTS TO TAKE CREDIT CARDS OFF OF THAT POSSIBILITY. LB970 ALSO MAKES THE GAME LESS ARCHAIC BY INCORPORATING MODERN TECHNOLOGY AS A MATTER OF PRACTICALITY. LB970 ALLOWS KENO TO BE PLAYED WITH ELECTRONIC TICKETS, BUT WOULD STILL REQUIRE A PAPER TICKET TO BE AVAILABLE AT THE REQUEST OF THE PLAYER. IN OTHER WORDS, A PLAYER COULD SELECT THE NUMBERS ON HIS OR HER TICKET USING AN ELECTRONIC DEVICE OR PHONE APP BUT COULD ONLY DO SO ON THE LICENSED PREMISES. THE BILL ALSO ELIMINATES THE MANDATORY FIVE-MINUTE WAIT TIME BETWEEN THE KENO GAMES, BUT THIS WAS REMOVED IN THE COMMITTEE AMENDMENT. LB970 MAKES THE FOLLOWING CHANGES TO THE PICKLE CARD ACT THAT ARE INTENDED TO REMOVE EXISTING OBSTACLES THAT CURRENTLY DISCOURAGE RETAILERS FROM SELLING PICKLE CARDS: ELIMINATES THE REQUIREMENT FOR PICKLE CARD OPERATORS TO PURCHASE, LEASE, AND RENT THE PICKLE CARD DISPENSING MACHINE; ELIMINATES THE PROHIBITION ON THE LICENSED ORGANIZATION OR PICKLE CARD DISTRIBUTOR FROM OFFERING THEIR DISPENSING MACHINE FOR FREE OR BELOW FAIR MARKET VALUE AS A MEANS TO INDUCE THE OPERATOR FROM CONTRACTING WITH A LICENSED ORGANIZATION; ELIMINATES THE REQUIREMENT THAT A LICENSED

Floor Debate
February 19, 2016

ORGANIZATION MAY PAY THE DISTRIBUTOR FOR THE PICKLE CARDS, BUT INSTEAD ALLOWS 30 DAYS FROM DELIVERY FOR PAYMENT; ELIMINATES THE REQUIREMENT THAT LICENSED OPERATORS PAY THE LICENSED ORGANIZATION UPON DELIVERY, BUT INSTEAD ALLOWS 30 DAYS FROM DELIVERY FROM PAYMENT; AND THE PROHIBITION ON THE LICENSED ORGANIZATIONS EXTENDING CREDIT; INCREASES THE OPERATOR'S MAXIMUM DEFINED PROFIT FROM 30 PERCENT TO 35 PERCENT; AND INCREASES THE PRIZES FROM 80 PERCENT TO 85 PERCENT AND DECREASES THE TAX ON THE DEFINITE PROFIT FROM 10 PERCENT TO 5 PERCENT. THANK YOU, MR. PRESIDENT. [LB970]

SENATOR RIEPE: MR. PRESIDENT. [LB970]

SENATOR KRIST: SENATOR RIEPE. [LB970]

SENATOR RIEPE: POINT OF ORDER, PLEASE. [LB970]

SENATOR KRIST: WOULD YOU APPROACH THE CHAIR, SENATOR RIEPE? SENATOR LARSON, I'M GOING TO HAVE YOU OPEN ON YOUR COMMITTEE AMENDMENTS AS CHAIR OF THE COMMITTEE. AS THE CLERK STATED, THERE ARE COMMITTEE AMENDMENTS. SENATOR LARSON, AS THE CHAIR OF THE COMMITTEE, YOU ARE RECOGNIZED TO OPEN ON YOUR COMMITTEE AMENDMENTS. [LB970]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. THE COMMITTEE AMENDMENT ALSO INCORPORATES LB862 AND LB820 INTO LB970. LB862 PROVIDES FOR THE LICENSING OF FANTASIES CONTESTS BY COMPANIES SUCH AS DRAFTKINGS AND FANDUEL. A TYPICAL CONTEST INVOLVES A PARTICIPANT COMPETING AGAINST AT LEAST ONE OTHER PARTICIPANT BY SELECTING PLAYERS TO FORM HIS OR HER FANTASY TEAM. AS THE SELECTED PLAYERS FINISH THEIR RESPECTIVE GAMES, THEIR GAME STATISTICS ARE CONVERTED INTO POINTS AND THE PARTICIPANTS' FANTASY TEAM WITH THE MOST POINTS WINS THE CONTEST. LB862 STATES THE FOLLOWING: FANTASY CONTESTS MEANS THAT ANY FANTASY OR STIPULATED GAME CONTEST WHICH (A) WINNING PARTICIPANTS ARE ELIGIBLE TO RECEIVE CASH OR ANY OTHER ITEM OF VALUE; (B) THE VALUE OF ALL PRIZES AND AWARDS OFFERED ARE ESTABLISHED AND PUBLICIZED TO PARTICIPANTS PRIOR TO THE GAME CONTEST; (C) ALL WINNING OUTCOMES REFLECT THE RELATIVE KNOWLEDGE AND SKILL OF THE PARTICIPANTS AND ARE DETERMINED PREDOMINATELY BY ACCUMULATED STATISTICAL RESULTS OF THE PERFORMANCE OF INDIVIDUALS, INCLUDING ATHLETES IN THE CASE OF SPORTS EVENTS; AND (D) NO WINNING OUTCOME IS BASED ON THE SCORE, THE

Floor Debate
February 19, 2016

POINT SPREAD, OR ANY PERFORMANCE OR PERFORMANCES OF ANY SINGLE ACTUAL TEAM OR COMBINATION OF SUCH TEAMS BASED SOLELY ON A SINGLE PERFORMANCE OF AN INDIVIDUAL ATHLETE OR PLAYER IN AN ACTUAL SINGLE EVENT, WHICH IS VERY DIFFERENT THAN SPORTS BETTING, AS SENATOR CHAMBERS I'M SURE KNOWS PERSONALLY. IN 2006, CONGRESS PASSED THE UNIFORM INTERNET GAMBLING ENFORCEMENT ACT, THE UIGEA, IN AN EFFORT TO MODERNIZE THE WIRE ACT OF 1961. THE UIGEA SPECIFICALLY EXEMPTS FANTASY SPORTS GAMES THAT MEET THE FOLLOWING CRITERIA: PARTICIPATION IN ANY FANTASY OR SIMULATION SPORTS GAME OR EDUCATIONAL GAME OR CONTEST IN WHICH, IF THE GAME OR CONTEST INVOLVES TEAM OR TEAMS, NO FANTASY OR SIMULATION SPORTS TEAM IS BASED ON THE CURRENT MEMBERSHIP OF AN ACTUAL TEAM THAT IS A MEMBER OF AN AMATEUR OR PROFESSIONAL SPORTS ORGANIZATION AS THOSE TEAMS ARE DEFINED IN SECTION 3701 OF TITLE 28 OF FEDERAL STATUTE, AND MEETS THE FOLLOWING CONDITIONS: (I) ALL PRIZES AND AWARDS OFFERED TO WINNING PARTICIPANTS ARE ESTABLISHED AND MADE KNOWN TO THE PARTICIPANTS IN ADVANCE OF THE GAME OR CONTEST AND THEIR VALUE IS NOT DETERMINED BY THE NUMBER OF PARTICIPANTS OR THE NUMBER OF ANY FEES PAID BY THOSE PARTICIPANTS; (II) ALL WINNING OUTCOMES REFLECT THE RELATIVE KNOWLEDGE AND SKILL OF THE PARTICIPANTS AND ARE DETERMINED PREDOMINATELY BY ACCUMULATED STATISTICAL RESULTS OF THE PERFORMANCE OF INDIVIDUALS IN MULTIPLE REAL WORLD SPORTING EVENTS; (III) AND NO OUTCOME IS BASED ON (aa) THE SCORE, POINT SPREAD, OR ANY PERFORMANCE OR PERFORMANCES OF A SINGLE REAL-WORLD TEAM OR ANY COMBINATION OF SUCH TEAMS;--AGAIN, DISTINCTLY DIFFERENT THAN SPORTS BETTING--AND (bb) SOLELY ON ANY SINGLE PERFORMANCE OF AN INDIVIDUAL ATHLETE IN ANY SINGLE REAL-WORLD SPORTING OR OTHER EVENT. UNDER 31 U.S. CODE SECTION 5362. AS YOU CAN SEE, LB862 AS INCORPORATED INTO LB970 MIRRORS THE LANGUAGE OF THE UIGEA IN ORDER TO BE IN COMPLIANCE WITH FEDERAL LAW. THE COMMITTEE AMENDMENT ALSO INCLUDES A NUMBER OF CONSUMER PROTECTION PROVISIONS. IT CLARIFIES THE INTENT OF THE BILL, WHICH IS ONLY TO APPLY TO FANTASY CONTEST OPERATORS WHO OFFER FANTASY CONTESTS FOR CASH PRIZES TO GENERAL PUBLIC UPON PAYMENT OF AN ENTRY FEE, AND IT IS NOT INTENDED TO APPLY TO A PRIVATE CONTEST SUCH AS THOSE CONDUCTED BY A GROUP OF FRIENDS OR COWORKERS; REQUIRES FANTASY CONTEST OPERATORS TO BE LICENSED IN NEBRASKA BY REGISTERING WITH THE DEPARTMENT OF REVENUE AND PAYING A \$500,000 REGISTRATION FEE AND AN ANNUAL \$10,000 FEE, BUT NOT TO EXCEED 10 PERCENT OF THE TOTAL ENTRY FEES MINUS PRIZES; PROHIBITS THE FANTASY CONTEST OPERATOR OR RELATIVE LIVING WITHIN THE FANTASY CONTEST OPERATOR...; EMPLOYEES OF

Floor Debate
February 19, 2016

THE FANTASY CONTEST OPERATOR OR ANY RELATIVE LIVING WITH AN EMPLOYEE FROM A FANTASY CONTEST OPERATOR FROM PARTICIPATING IN THE OPERATOR'S FANTASY CONTEST; VERIFY THAT PARTICIPANTS ARE 18; ENSURE THAT A PERSON WHO PLAYS OR OFFICIATES IN A GAME OR CONTEST THAT IS SUBJECT TO ANY FANTASY CONTEST IS RESTRICTED FROM PARTICIPATING IN SUCH FANTASY CONTEST THAT IS DETERMINED ON ACCUMULATED STATISTICAL RESULTS OF A TEAM AND A GAME OR CONTEST IN WHICH SUCH PERSON IS A PLAYER OFFICIAL; THE OPERATOR WILL TAKE STEPS TO RESTRICT THE PERSON'S PARTICIPATION IF A PERSON REQUESTS THAT THEIR ACCESS TO PLAY FANTASY CONTESTS BE RESTRICTED; THE OPERATOR WILL DISCLOSE THE NUMBER OF ENTRIES THAT THE PARTICIPANT IN A FANTASY CONTEST MAY SUBMIT TO TAKE RESPONSIBLE STEPS TO PREVENT THE PARTICIPANT FROM SUBMITTING MORE THAN THE NUMBER ALLOWED; THE OPERATOR WILL PROTECT THE PARTICIPANT'S FUNDS BY SEGREGATING THE FANTASY CONTEST FUNDS OF PARTICIPANTS FROM THE OPERATOR'S OPERATIONAL FUNDS AND MAINTAIN AN ADEQUATE RESERVE; AND THE OPERATOR WILL CONTRACT WITH A THIRD PARTY TO PERFORM THE ANNUAL AUDIT TO ENSURE COMPLIANCE WITH PROVISIONS OF LB862 AND THE AUDIT RESULTS WILL BE SUPPLIED TO THE DEPARTMENT OF REVENUE. LB820, ORIGINALLY INTRODUCED BY SENATOR HUGHES, WOULD ALLOW A LICENSED ORGANIZATION TO CONDUCT A RAFFLE IN WHICH THE WINNERS ARE TO BE DETERMINED ON WHEN A NATURALLY OCCURRING EVENT HAPPENS. PARTICIPANTS WOULD INDICATE ON A TICKET WHEN HE OR SHE BELIEVES THAT EVENT WILL OCCUR. THE LICENSED ORGANIZATION MUST COMPLY WITH THE APPLICABLE LOTTERY AND RAFFLE ACTS. ONE EXAMPLE OF THIS TYPE OF RAFFLE WOULD BE THE NENANA ALASKA ICE CLASSIC, WHICH IS A HUNDRED-YEAR TRADITION OF CONTESTANTS PURCHASING TICKETS INDICATING WHEN THEY BELIEVE THE ICE WILL BREAK ON THE TANANA RIVER IN NENANA. THERE WERE SOME CONCERNS AT THE HEARING REGARDING WHAT WOULD CONSTITUTE A NATURALLY OCCURRING EVENT, SO IT WAS CLARIFIED IN THE COMMITTEE AMENDMENT THAT A NATURALLY OCCURRING EVENT WOULD BE A WEATHER EVENT ONLY. COLLEAGUES, THIS ISN'T SPORTS BETTING, LB862 THAT WAS ROLLED INTO LB970. THERE WILL BE AN AMENDMENT THAT TAKES CREDIT CARDS OUT. WE'RE TAKING THE TIME OUT. THE PICKLE STUFF IS LITERALLY CLARIFICATION. AND LB862, AS ROLLED IN, WE ARE OFFERING CONSUMER PROTECTIONS. THREE HUNDRED THOUSAND NEBRASKANS ARE PARTICIPATING IN THIS RIGHT NOW. WE HEARD THE ARGUMENTS ON LB619 THAT IF IT WAS CONSTITUTIONAL, WHY AREN'T PEOPLE DOING IT NOW? COLLEAGUES, IT IS CONSTITUTIONAL. PEOPLE ARE DOING IT NOW. THE COURTS HAVEN'T TAKEN IT DOWN. SENATOR CHAMBERS, ON HIS OWN ADMISSION--AND HE QUICKLY MOVED OFF THE TOPIC

Floor Debate
February 19, 2016

OF CONSTITUTIONALITY WHEN IT WAS BROUGHT UP ON THE GAMING SIDE OF THINGS--UNDER THE DEFINITION OF GAMING THAT HE OUTLINED THE STOCK MARKET IS UNCONSTITUTIONAL BECAUSE IT IS NOT IN THE NEBRASKA CONSTITUTION. FANTASY SPORTS CONTESTS ARE LEGAL UNDER FEDERAL LAW AND LEGAL IN THE STATE OF NEBRASKA. AS SENATOR COASH SAID, THIS ISN'T AN LR, THIS IS AN LB PLACING RESTRICTIONS TO PROTECT THE DOWNTRODDEN IN NEBRASKA. TO PROTECT THOSE...SENATOR CHAMBERS MADE MY ARGUMENT WHEN HE SAID THAT HE WANTS TO PROTECT THE SUCKERS, I THINK MIGHT HAVE BEEN HIS WORD--HE'S SHAKING HIS HEAD, YES--FROM BEING TAKEN ADVANTAGE OF. LB970 DOES THAT. WE'RE WORKING TO STOP THE AUTO SCRIPTING AND THE AUTO DRAFTING TO ENSURE THAT EVERY INDIVIDUAL HAND PICKS HIS ENTRY AND CAN'T CREATE MATHEMATICAL ALGORITHMS TO TAKE ADVANTAGE OF THE SUCKERS. [LB970 LB862 LB820]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR LARSON: HE SAYS, GAMBLING ON THE STOCK MARKET IS THE RICH MAN'S GAME, BUT SPORTS BETTING IS EVERYBODY'S GAME. ONE, THIS ISN'T SPORTS BETTING; FEDERAL STATUTE OUTLINES THAT. SPORTS BETTING IS ONLY ALLOWED IN TWO OR THREE STATES, MAYBE FOUR. THIS IS LEGAL IN EVERY STATE UNDER FEDERAL LAW. FEDERAL LAW ALLOWS IT SUBJECT TO THE STATE'S OWN CONSTITUTIONS OR STATUTES. IT'S ILLEGAL ACTIVITY. I WANT TO PROTECT NEBRASKANS. IF YOU DON'T WANT TO PROTECT NEBRASKANS, VOTE RED, BECAUSE IF YOU VOTE RED YOU'RE GOING TO LEAVE NEBRASKANS EXPOSED. AND I HOPE YOU CAN SLEEP WITH YOURSELF AT NIGHT THAT YOU'D LEAVE THEM EXPOSED IN THE POSSIBILITY OF LOSING. FANTASY SPORTS ISN'T THE STOCK MARKET, SENATOR CHAMBERS. [LB970]

SENATOR KRIST: TIME, SENATOR. [LB970]

SENATOR LARSON: FANTASY SPORTS IS LIKE SPORTS BETTING, EVERYONE PLAYS. [LB970]

SENATOR KRIST: FOR A CLARIFICATION OF THE RULES, WHEN THIS BILL WAS INTRODUCED FIRST ON THE 11TH, THE INTRODUCER WAS NOT ALLOWED TO OPEN ON THE BILL, NOT AFFORDED THE OPPORTUNITY TO OPEN ON THE BILL NOR ON THE COMMITTEE AMENDMENTS, WHICH IS WHY WE AFFORDED HIM THE OPPORTUNITY TO DO THAT TODAY, RIGHT NOW. AND TO BE CLEAR, THE TIME STARTED ON THE 11TH AND ONCE WE FINISH TODAY, IF WE FINISH AT ABOUT

Floor Debate
February 19, 2016

NOON, IT WILL STILL HAVE AN HOUR AND 36 MINUTES, AN HOUR AND 30 MINUTES LEFT AND THE TOTAL TIME WILL RUN. QUESTIONS, YOU CAN COME UP AND TALK TO ME IF THAT'S UNCLEAR. MR. CLERK. [LB970]

CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO BRACKET LB970 UNTIL APRIL 20, 2016. [LB970]

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB970]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, AT THE BEGINNING I SAID WHAT I INTENDED TO DO AND I STILL STICK BY THAT. I DON'T REALLY HAVE TO TALK ABOUT ANYTHING BECAUSE THEY HAVE NOT GOT 33 VOTES. SO THERE'S SOMETHING ELSE THAT I WANT TO TALK ABOUT THAT IS ASIDE FROM THIS BILL. I HAD GOTTEN OFF MY CHEST WHAT I WANTED TO RELATIVE TO THE POPE AND THE MISINTERPRETATION OF HIS WORDS. AND THE OTHER DEALS WITH MR. SCALIA, WHO DIED. YOU KNOW WHAT THE BIBLE SAYS ABOUT DYING? IF A MAN IS RIGHTEOUS, LET HIM BE RIGHTEOUS STILL. IF A MAN IS FILTHY, LET HIM BE FILTHY STILL. ALL OF THIS PHONY HOOPLA ABOUT HOW GREAT MR. SCALIA WAS IS SO MUCH PIFFLE. IN MY OPINION, HE IS THE WORST JUSTICE WHO EVER SAT ON THE BENCH SINCE ROGER B. TANEY, WHO IN THE DRED SCOTT DECISION SAID, A BLACK MAN HAS NO RIGHTS WHICH A WHITE MAN IS BOUND TO RESPECT. THESE REPORTERS TALK ABOUT HOW BRILLIANT HE WAS. HE WAS NOT BRILLIANT. HE WAS CRUDE. HE WAS SELF-CENTERED. AND HE FELT HE HAD A FAN BASE IN THE REPUBLICANS WHO WERE CALLED CONSERVATIVES. SO THIS THAT I'M GOING TO READ I WILL TIE IN WITH THE DISCUSSION THAT WE'RE HAVING TODAY. SOMETIMES PEOPLE WHO THINK THEY'VE GOT EVERYTHING THEY WANT BECAUSE THE LOBBY TELLS THEM THAT WILL COME UP SHORT. BUT YOU KNOW WHO PAYS FOR IT? THE LEGISLATURE DOES BY ALLOWING ME TO EXTRACT A TOLL IN TERMS OF TIME. THIS WAS WRITTEN BY RUBEN NABARRETTE, N-A-B-A-R-R-E-T-T-E, JR., HE'S WITH THE WASHINGTON POST WRITER'S GROUP AND IT APPEARED IN THE LINCOLN JOURNAL STAR THE 18TH OF THIS MONTH. SAN DIEGO--FAR BE IT FROM ME TO SPEAK ILL OF THE DECEASED. BUT IF I HEAR ONE MORE SUPERFICIAL TRIBUTE TO A JURIST WHO HELPED DIVIDE AMERICA, I'M GOING TO BE SICK. IN PROMOTING A COLLECTIVE MOURNING, THE ADMIRERS OF JUSTICE ANTONIN SCALIA HAVE SELECTIVE MEMORY. AND, UNFORTUNATELY, THE MEDIA ARE PLAYING ALONG. THE FOURTH ESTATE USED TO JUST REPORT THE NEWS. NOW WE CREATE MEMES, M-E-M-E-S, PROBABLY THE TRANSCRIBERS ARE FAMILIAR WITH THAT WORD THOUGH. WE MANUFACTURE STORY LINES

Floor Debate
February 19, 2016

AND WE WORK HARD TO PRESERVE THEM. TOO MANY JOURNALISTS WOULD RATHER REPEAT THE MANTRA THAT IS OUT THERE THAN STICK THEIR NECK OUT BY BEING THE ONLY ONE WHO SAYS SOMETHING DIFFERENT. A FORMER EDITOR ONCE CORRECTLY NOTED THAT THE MEDIA ARE, "LIKE BIRDS ON A WIRE." THEY ALL COME TO THE SAME STORY, SHE SAID, AND THEY ALL COVER IT IN LARGELY THE SAME WAY. AND WITH SCALIA'S SUDDEN PASSING A SERIES OF MEMES HAVE ARISEN. THERE'S THE ONE ABOUT HOW HE WAS ABLE TO MAINTAIN FRIENDSHIPS ACROSS THE IDEOLOGICAL SPECTRUM, INCLUDING AN ODD-COUPLE RAPPORT WITH LIBERAL JUSTICE RUTH BADER GINSBURG. AND THE ONE ABOUT HOW SCALIA WAS AN UNFAILING ORIGINALIST WHEN IT CAME TO THE CONSTITUTION, TRYING TO REMAIN FAITHFUL TO WHAT HE BELIEVED THE FRAMERS HAD IN MIND WHEN THEY CRAFTED THE DOCUMENT IN THE LATE 1700S. THUS WE'RE TOLD BY MANY IN THE CHATTERING CLASSES THAT WHETHER OR NOT WE AGREED WITH SCALIA'S DECISIONS, ALL AMERICANS SHOULD HONOR HIS SERVICE TO THIS COUNTRY. IN FACT, THEY SAY, WE SHOULD ALL BE YEARNING TO HEAR HIS VOICE JUST ONCE MORE. I'M SORRY, BUT I'M NOT FEELING THE YEARN. I LOVE THIS COUNTRY--I'M READING FROM THE ARTICLE--I LOVE THIS COUNTRY. AND MY ANCESTORS HAVE BEEN HERE MUCH LONGER THAN SCALIA'S. THE JUSTICE WAS A FIRST-GENERATION AMERICAN WHOSE FATHER WAS FROM SICILY. MY FATHER WAS BORN IN THE UNITED STATES AND SO WAS MY MOTHER, THE SAME GOES FOR THREE GRANDPARENTS. YET FOR THE LAST 30 YEARS AS I FOLLOWED THE SUPREME COURT I NEVER FELT WELL-SERVED BY SCALIA ON CASES RANGING FROM IMMIGRATION TO VOTING RIGHTS TO AFFIRMATIVE ACTION, IT SOON BECAME CLEAR THAT THE FIRST ITALIAN AMERICAN ON THE SUPREME COURT WAS NOT THERE FOR ME OR ANYONE WHO LOOKS LIKE ME. AS HE CHARGED INTO ONE CULTURAL MINEFIELD AFTER ANOTHER OVER THE YEARS, I CAN GUARANTEE YOU THAT SCALIA WAS NOT THINKING ABOUT PEOPLE LIKE MY PARENTS, UNCLES, AND AUNTS. THEY ALL GREW UP IN THE 1930s AND 1940s, AN ERA WHEN MEXICAN-AMERICANS HAD LIMITED OPPORTUNITIES AND SUFFERED OVERT DISCRIMINATION. LATER ATTEMPTS BY GOVERNMENT, UNIVERSITIES, AND CORPORATIONS TO LEVEL THE PLAYING FIELD FOR MINORITIES WERE STRONGLY CONDEMNED BY SCALIA AS UNFAIR TO THE MAJORITY. COMMENTATORS HAVE SPENT THE LAST FEW DAYS SAYING HOW SCALIA WAS NOTHING LESS THAN BRILLIANT. BUT BRILLIANT PEOPLE SHOW EMPATHY, REFRESH THEIR THINKING, AND EVOLVE WITH THE TIMES. THEY SEEK OUT DIFFERENT POINTS OF VIEW AND TRY TO LEARN FROM THEM. THERE IS NO EVIDENCE THAT SCALIA DID ANY OF THAT. IN FACT, HIS FANS ARE PRAISING HIS CONSISTENCY. BUT FROM WHERE I SIT, MANY OF HIS RULINGS WERE CONSISTENTLY BAD, HARMED BY THE FACT THAT HE COULD NOT SEEM TO GET

Floor Debate
February 19, 2016

BEYOND A WORLD VIEW THAT WAS NARROW AND PROVINCIAL. IT IS CLEAR FROM READING MANY OF HIS OPINIONS THAT HE WAS THROUGHOUT HIS LIFE A TRUE BELIEVER IN CONSERVATIVE DOGMA. AND TOO OFTEN THAT INFLUENCED HIS VIEW OF THE LAW AS HE WANDERED INTO POLITICS. THAT'S WHAT HAPPENED A FEW YEARS AGO WHEN THE HIGH COURT HEARD ARGUMENTS ABOUT THE CONSTITUTIONALITY OF THE ARIZONA IMMIGRATION LAW AND SCALIA LAUNCHED INTO A TIRADE ABOUT HOW THE OBAMA ADMINISTRATION WAS NOT DEPORTING ENOUGH PEOPLE. ONE HAD NOTHING TO DO WITH THE OTHER. HE WAS ROUNDLY CRITICIZED BY PUNDITS AND LAW PROFESSORS ALIKE, SOME OF WHOM INSISTED THAT HIS RULINGS SOUNDED MORE LIKE A CAMPAIGN AD. SCALIA'S SUPPORTERS WILL CLAIM THAT LIKE ANY GOOD JURIST, HE SIMPLY CALLED THE BALLS AND STRIKES AS HE SAW THEM. BUT IF THAT'S THE CASE, WHY DID HE SAY IN AN INTERVIEW A FEW YEARS AGO THAT HE HOPED WHOMEVER REPLACED HIM DID NOT UNDO WHAT HE HAD DONE, AS IF HE HAD PURSUED AN AGENDA THAT HE WOULD LIKE TO SEE PRESERVED. NO DOUBT SCALIA WAS A WORTHY CHAMPION FOR HIS CAUSE, BUT THAT'S THE PROBLEM. AS A JUDGE, THE ONLY CAUSE HE WAS SUPPOSED TO CHAMPION WAS THE PURSUIT OF JUSTICE. IN THAT ARENA HE SOMETIMES CAME UP SHORT, VERY SHORT. AND THE WORD SHORT MAKES HIM LONGER AND TALLER THAN HE DESERVED TO BE. AND WHEN I DIE THAT'S NOT GOING TO CHANGE ME. THE PEOPLE WHO HATE ME WILL STILL HATE ME. THEY WON'T MOURN MY PASSING. THEY'LL SAY, WHY COULDN'T IT HAVE HAPPENED SOONER? SO THE FACT THAT SCALIA IS DEAD MEANS NOTHING TO ME JUST AS WHEN I READ THAT CHIEF JUSTICE ROGER B. TANEY DIED ON A CERTAIN DATE. MY WISH, IF I COULD HAVE HAD IT GRANTED, WAS THAT HE WOULD HAVE DIED BEFORE HE UTTERED THE DRED SCOTT DECISION. AND IF ANY OF YOU ALL READ HISTORY, YOU OUGHT TO READ ABRAHAM LINCOLN'S ANALYSIS OF THAT DECISION AND THE PART THAT TOP POLITICIANS IN THIS COUNTRY PLAYED IN IT. SO I HAD TO GET THAT OUT THERE. NOW BACK TO THE MATTER AT HAND. THEY DON'T HAVE 33 VOTES. I'VE PUT INTO THE RECORD MY REASONS FOR OPPOSING THIS LEGISLATION THAT IS BEFORE US. I THINK IT CANNOT BE DENIED BY ANYBODY THAT IT IS AN EXPANSION OF GAMBLING. IT IS AN EXPANSION OF THE GAMBLING INDUSTRY. IT ALLOWS PEOPLE TO DO THINGS WHEN THEY'RE GAMBLING THAT CURRENTLY THEY CANNOT DO. AND WHEN YOU ADD ONTO ANYTHING YOU ARE EXPANDING IT, UNLESS IT'S A BALLOON AND THE THING YOU ADD TO IT IS A PINPRICK; THEN YOU DEPRIVE IT OF ALL ITS AIR. BUT IN THE ORDINARY COURSE OF EVENTS IF YOU ADD SOMETHING TO AN OBJECT YOU EXPAND IT, YOU INCREASE THE SIZE OF IT. IF THIS BILL DOES NOT AUTHORIZE ANYTHING THAT IS DIFFERENT FROM WHAT IS AUTHORIZED YOU DON'T NEED THE BILL. IF IT DOES AUTHORIZE IN THE

Floor Debate
February 19, 2016

LEGAL GAMBLING THEN IT IS EXPANDING GAMBLING. SO SENATOR LARSON AND THE LOBBY... [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR CHAMBERS: ...ARE GOING TO HAVE TO GET 33 VOTES. AND WHEN WE COME BACK AND HAVE ABOUT AN HOUR AND 40 MINUTES TO GO, I CAN EAT THAT UP WITH TWO PRIORITY MOTIONS. SENATOR LARSON PROBABLY THOUGHT THAT I COULD NOT ENDURE, BUT IF HE PAID ATTENTION HE SAW THAT OTHER PEOPLE HAVE PARTICIPATED IN THE DISCUSSION, THAT OTHERS HAVE YIELDED ME TIME, THAT OTHERS HAVE BEEN SIMPLY NOT VOTING ON THESE VARIOUS MOTIONS THAT CAME UP. WHEN THEY DO VOTE, IF THEY VOTE, WILL THEY VOTE CLOTURE? EVEN IF THEY DO, WE WILL WIND UP ON FINAL READING AND GO THROUGH THIS AGAIN. THE BODY CAN SUIT ITSELF. EARLY ON WE COULD HAVE DISPOSED OF THIS PIECE OF LEGISLATION. [LB970]

SENATOR KRIST: TIME, SENATOR. [LB970]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB970]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB970]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. WE HEARD SENATOR LARSON EARLIER MAKING COMPARISONS OF LB970 TO THE STOCK MARKET. I WONDER IF SENATOR LARSON WOULD YIELD FOR A QUESTION OR TWO? [LB970]

SENATOR KRIST: SENATOR LARSON, WILL YOU YIELD? [LB970]

SENATOR LARSON: YES. [LB970]

SENATOR BLOOMFIELD: SENATOR LARSON, YOU INFORMED US THAT THE STOCK MARKET WAS GAMBLING AS WELL. IS THAT YOUR... [LB970]

SENATOR LARSON: I SAID, UNDER SENATOR CHAMBERS' DEFINITIONS THE STOCK MARKET WAS GAMBLING. I DIDN'T SAY THAT I BELIEVED THAT. [LB970]

Floor Debate
February 19, 2016

SENATOR BLOOMFIELD: OKAY. I UNDERSTOOD YOU TO INFER THAT IT WAS, IN FACT, GAMBLING, MUCH LIKE... [LB970]

SENATOR LARSON: I WAS INFERRING THAT UNDER SENATOR CHAMBERS' DEFINITION THE STOCK MARKET WAS GAMBLING. [LB970]

SENATOR BLOOMFIELD: OKAY. I WAS KIND OF WONDERING WITH ALL THESE SAFEGUARDS THAT YOU'RE WANTING TO PUT ON FANTASY SPORTS, IF I WILL BE ABLE TO GO TO SOMEONE LIKE EDWARDS, TD AMERITRADE, OR ANYPLACE LIKE THAT AND HAVE SOMEBODY THAT IS VERY FAMILIAR ABOUT WHAT THEY'RE DOING, CAN I HAND THEM \$100 AND SAY, GO BET THIS? GO INVEST THIS FOR ME? [LB970]

SENATOR LARSON: SENATOR BLOOMFIELD, YOU BRING...SPECIFICALLY, ON THE FANTASY SPORTS, NO. BUT THERE ARE ATHLETES OFFERING... [LB970]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. [LB970]

SENATOR LARSON: ...IPOS ON THEMSELVES... [LB970]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. [LB970]

SENATOR LARSON: AND... [LB970]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. MR. PRESIDENT, I YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB970]

SENATOR KRIST: SENATOR CHAMBERS, 3:20. [LB970]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. SENATOR BLOOMFIELD, WELL DONE. MEMBERS OF THE LEGISLATURE, WE'RE GOING TO BE HERE ANYWAY THIS SESSION. WE'RE GOING TO BE HERE A TOTAL OF 60 DAYS. TODAY IS THE 29TH DAY. MONDAY WHEN WE COME BACK WE'LL BE ON THIS BILL AND WE WILL BE ON IT FOR ABOUT AN HOUR AND 40 MINUTES. AND THEN THEY MUST INVOKE CLOTURE. IF THEY DON'T GET 33 VOTES THEN IT'S OVER, IT'S CURTAINS. SENATOR LARSON, IF HE PAID ATTENTION, COULD SEE THAT THE VOTES ARE NOT THERE. IN SOME CIRCLES THEY CALL THIS NOT READING THE

Floor Debate
February 19, 2016

WRITING ON THE WALL. AND AS YOU ALL KNOW, SOMETIMES I WILL ENGAGE IN SINGING, SOMETIMES I WILL QUOTE THE SCRIPTURE. SO I'M GOING TO REFER TO SCRIPTURE THIS MORNING. THERE'S A KING NAMED BELSHAZZAR AND HE WAS HAVING A GREAT BANQUET AND ALL THE IMPORTANT PEOPLE WERE THERE. AND THEN SUDDENLY A GREAT HAND APPEARED AND THE HAND BEGAN TO WRITE ON THE WALL. IT WASN'T CALLED GRAFFITI, BUT IT COULD BE CALLED THAT, WRITING ON THE WALL. AND KING BELSHAZZAR COULDN'T READ IT, SO HE HAD TO GET SOMEBODY WHO COULD READ IT FOR HIM. AND THERE WAS AN OLD GENTLEMAN NAMED DANIEL AND HE SAID, I WANT YOU TO COME HERE BECAUSE YOU'RE GOOD AT SOLVING PUZZLES. AND IF WE HAD SUCH A THING AS SPORTS BETTING YOU COULD PROBABLY WIN EVERY BET THAT YOU PLACED. BUT WE DON'T HAVE THAT, SO JUST READ THAT FOR ME. AND OLD DANIEL, HE DID SOMETHING LIKE THIS, EXCEPT HE HAD A ROBE. HE DIDN'T PULL HIS SPECKS OUT OF HIS EYEGLOSS CASE. HE PULLED HIS SPECKS OUT OF HIS ROBE AND HE PUT HIS SPECKS ON AND HE STOOD THERE AND HE FROWNEED AND HIS FROWN BECAME DEEPER AND DEEPER. SO DEEP THAT HE TOOK HIS SPECKS OFF AND HE SAID TO THE KING... [LB970]

SENATOR KRIST: ONE MINUTE. [LB970]

SENATOR CHAMBERS: ...THE WORDS SAY MEME MEME TERKEL PARSING, THOU ART WEIGHED IN THE BALANCE AND FOUND WANTING AND YOUR KINGDOM SHALL BE TAKEN FROM YOU. THE WRITING ON THE WALL HERE IS THAT SENATOR LARSON AND THE LOBBY DO NOT HAVE 33 VOTES, BUT THE TIME WAS TAKEN FROM THE LEGISLATURE. AND I DON'T MIND HOWEVER MUCH TIME WE TAKE DOING WHATEVER THE LEGISLATURE'S WILL IS. AND THE FACT THAT VOTES WERE TAKEN BUT NONE WERE SUCCESSFUL IN GETTING RID OF THIS, IT'S THE LEGISLATURE'S WILL THAT WE CONTINUE AND I BELIEVE IN ACCOMMODATING MY COLLEAGUES. SO WE'LL JUST HAVE TO SEE WHAT WE SHALL SEE. THANK YOU, MR. PRESIDENT. [LB970]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD, LARSON, AND CHAMBERS. MR. CLERK. [LB970]

CLERK: MR. PRESIDENT, I DO HAVE SOME ITEMS. ENROLLMENT AND REVIEW REPORTS LB19, LB53, LB295, LB311, LB328, LB378, LB400, AND LB400A ALL REPORTED CORRECTLY ENGROSSED. NEW RESOLUTION: LR442 BY SENATOR McCOLLISTER. THAT WILL BE LAID OVER. PRIORITY BILL DESIGNATIONS: NATURAL RESOURCES COMMITTEE, LB1038 AND LB824; SENATOR KINTNER,

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
February 19, 2016

LB1037; SENATOR MURANTE, LB906; SENATOR HOWARD, LB1081; SENATOR STINNER, LB1082; SENATOR GARRETT, LB643; SENATOR GLOOR, REVENUE SELECTIONS, LB774 AND LB958; TRANSPORTATION, LB977 AND LB938; SENATOR HILKEMANN, LB10; SENATOR FRIESEN, LB897; SENATOR HUGHES, LB710; SENATOR MELLO, LB889; SENATOR McCOLLISTER LB745. NATURAL RESOURCES COMMITTEE REPORTS LB881 TO GENERAL FILE; LIKewise LB914 AND LB1101. GOVERNMENT REPORTS LB492, LB742, LB1080 TO GENERAL FILE AND LB754, LB764, LB867 TO GENERAL FILE WITH AMENDMENTS. JUDICIARY REPORTS LB1007 TO GENERAL FILE WITH AMENDMENTS. CONFIRMATION REPORTS FROM HEALTH AND HUMAN SERVICES COMMITTEE, TWO SEPARATE REPORTS...ONE REPORT AND A HEARING NOTICE FROM THE HEALTH COMMITTEE. NAME ADDS: SENATOR EBKE TO LB744; SENATOR McCOLLISTER TO LB1054; AND SENATOR EBKE TO LB975. (LEGISLATIVE JOURNAL PAGES 660-670.) [LB19 LB53 LB295 LB311 LB328 LB378 LB400 LB400A LR442 LB1038 LB824 LB1037 LB906 LB1081 LB1082 LB643 LB774 LB958 LB977 LB938 LB10 LB897 LB710 LB889 LB745 LB881 LB914 LB1101 LB492 LB742 LB1080 LB754 LB764 LB867 LB1007 LB744 LB1054 LB975]

MR. PRESIDENT, SENATOR RIEPE WOULD MOVE TO ADJOURN THE BODY UNTIL MONDAY, FEBRUARY 22, AT 10:00 A.M.

SENATOR KRIST: YOU'VE HEARD THE MOTION TO ADJOURN. ALL THOSE IN FAVOR AYE. OPPOSED NAY. WE ARE ADJOURNED TILL MONDAY MORNING AT 10:00 A.M.