

January 12, 1984

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Thank you.

SPEAKER NICHOL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I'm saying this for the record because I want it to be completely clear what point I am trying to make. There is nothing in this Constitution which says that the only organizations that can operate bingo must be in existence five years. There is not a statement like that in this Constitution. You can't find it. You find positive statements about horse racing, that betting must occur within the enclosure, all affirmative statements. There is no affirmative statement in this Constitution which says that the only organizations which can conduct bingo must be in existence five years. Now whatever the intention of the people who drafted this provision in the Constitution, we have to go by what words are actually there. The provision that the Attorney General's Opinion is talking about is one that relates to laws regulating organizations that have been in existence for five years. There is nothing in this Constitution that prohibits bingo by an organization in existence less than five years. If that was the intent that would have been in the Constitution and it would have said either that no organization in existence less than five years can operate bingo or it would have said affirmatively, in order to operate bingo an organization must be in existence five years. It does not say that. The provision being discussed, and I am saying again it may have been an oversight by those who drafted this position originally, it is talking about the kinds of laws the Legislature can enact relative to bingo and it is saying that the Legislature can enact laws relative to those that have operated bingo...that have been in existence for five years. But it does not say that those in existence less than five years can be prohibited from operating bingo. Now if you don't like what I am saying because of the implications, that is one thing and I have no problem with that at all because I hear a lot of things and read things in the law that I don't like but we ought to at least read the words of the Constitution and see what they say before we call ourselves changing something. All that this amendment would do that Senator Morehead is offering is to say that it would bring additional types of organizations or branches of those

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