

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

March 22, 2000 LB 973, 1094

further lights on. Senator Wickersham, did you wish to close? Senator Wickersham waives closing. The question before the body is, shall AM2680 be adopted to LB 973? All in favor vote aye, opposed nay. Have you all voted who care to? Record, please, Mr. Clerk.

CLERK: 31 ayes, 0 nays, Mr. President, on the adoption of Senator Wickersham's amendment.

SENATOR CUDABACK: AM2680 is adopted.

CLERK: Senator Jensen would move to amend with AM2770. (Legislative Journal page 1019.)

SENATOR CUDABACK: Senator Jensen.

SENATOR JENSEN: Thank you, Mr. President. Members of the body, AM2770's purpose is to deter the use of illegal gambling. I have a sheet that will be coming around that will explain this amendment. AM2770 will amend the Nebraska Liquor Control Act to provide a penalty for having an illegal gambling device on a liquor license's premises when a licensee has been convicted of possession of a gambling device. We do know that throughout our community we have legal gambling that does occur, certainly pickle cards and many of the other items, but here we're talking about illegal machines. It was originally LB 1094, which was referenced to the General Affairs Committee and advanced out of the committee with a committee amendment on an 8 to 0 vote. AM2770 incorporates a committee amendment which, in essence, changed one word. As originally written, LB 1094 would have made a 30-day suspension of a liquor license mandatory. In its current form, AM2770 will allow the Liquor Commission to decide whether to suspend a license or to accept a fine in lieu of suspension. I have discussed this amendment with Senator Janssen and have his permission to amend AM2770 into LB 973. The suspension is, for the first offense, is not mandatory. A fine may be paid in lieu of the suspension, but the option will be at the direction of the commission. Under the current system, the option to pay the fine instead of taking the suspension is at the discretion of the licensee. Currently, the penalty for possessing an illegal gambling device is found in the commission's penalty guidelines. These guidelines are set