

Valentine, etc. Letter from the Attorney General to Senator John DeCamp. The letter talks about amendments to LB 900, because these were originally going to be amendments, and then we had to go to a separate bill. "The proposed amendments were drafted after concern was expressed by the County Attorneys of Douglas and Lancaster Counties. Each of these offices indicated that substantial difficulties existed with the status of the gambling provisions enacted in LB 38 of last session. Those offices requested that our office assist in assigning individuals to attempt to close up the holes that existed in the statutes under LB 38." Now remember LB 38 is a law now. "And to draft proposed legislation which would regulate gambling in the State of Nebraska. To that end the County Attorneys' offices of Douglas and Lancaster Counties in cooperation with our office did draft the proposed amendments." So you know the individuals involved, I think Mr. Gibson was involved from Lancaster County. A fellow named Mr. Warin who is now the U.S. Attorney, but at that time was with the Douglas County Attorney's office, was their representative, and Pat O'Brien...I think Pat led the raid yesterday. Pat O'Brien was the representative from the Nebraska Attorney General's office. Okay. Under LB 38, that's a law now, gambling was attempted to be divided into professional and nonprofessional gamblers by characterizing the activity that was unlawful in terms of the activity engaged in. For instance, a professional gambler under Section blah, blah, blah, would be guilty of engaging in bookmaking if he received or accepted in any one day more than five bets totaling more than \$500. Thus a person could be engaged in bookmaking by accepting bets of less than \$500 with any number of persons or more than \$500 with less than five persons. In addition, by keeping the bets within the above maximum or spreading them over a period of time the statute could be avoided, yet the same amount of activity conceivably could have been engaged in. The new sections as proposed for Section 28-1102 differentiate the seriousness of the offense in terms of the amount of money wagered. The dividing line proposed is 300. Now I think my amendment comes up with 500 or some such thing. Those persons who engage in gambling in excess of 300 would be subject to the more serious penalty than those who engage in betting or gambling for less than 300. Thus the elements of the charge are reduced...reduced to proving the amount of money bet rather than the amount of money bet, the number of persons betting, and the time period within which the money was bet...thus greatly simplifying proof problems and also expanding the coverage of the prohibition against gambling to a broader group. Secondly,