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LB 152

I know as a legal aid attorney that probably you or one of those people will be defending him at government expense. This poor sob that is going up for his twenty year rap because he didn't do anything to the community except exchange bets, he will probably have to pay for his own defense. He doesn't get the legal aid government attorney. As I repeat, law enforcement, the men that have had probably a hundred years combined between them, experience in this field, felt this was the best way to go. The argument about organized crime, the feds do come in, can come in if that is the case as the Attorney General pointed out to me. If they find interstate gambling, this kind of thing, they can come in. It is you who are creating the new system that is going to create the organized crime coming in with your penalty. I oppose the amendment. I urge you to advance the bill, Mr. President.

SENATOR WESELY: It is my time, I think. I did want to hear from Senator DeCamp though. I appreciate your comments on that. Could I ask Senator Hoagland, perhaps...? You are introducing this amendment on behalf of anybody in particular, like...I would like to know who helped draft the original bill and who would like to see the felony in? What are the sides that are taking shape in this?

SENATOR HOAGLAND: Well as I understand it the committee reported this bill out making these bookmaking offenses a Class IV felony and then on General File the Legislature adopted Senator DeCamp's amendment which drops it down to a misdemeanor. Now my common sense tells me that these offenses ought to be a felony and not a misdemeanor. I am not bringing this in on behalf of anybody, Senator Wesely. It just to me, it defies common sense if we want to discourage large scale bookmaking operations to drop it down to a misdemeanor. That is all.

SENATOR WESELY: Senator DeCamp, could you answer my question about that?

SENATOR DeCAMP: The committee came up with this after Mr. Bucchino came and said that he needed this felony so he could stop organized crime. I pointed out the other day that he has no authority under the law to prosecute felonies, by the way. The Attorney General pointed that out to me.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature,