

CLERK: Mr. President, Senator Beutler would move to return 408 to Select File for a specific amendment. (Beutler amendment appears on page 2122 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, first of all my apologies to the committee. I just had a chance to look over the bill closely this morning so my suggestions this morning I was just barely able to get down on paper, much less discuss with the committee. But my amendment does three things and I want to outline those carefully to you. Two of them I think are, basically, technical. The third one is a public policy matter to which I hope you will pay some attention. The first thing it does is to strike the sentence beginning on line 17, page 13 and this one reads as follows: "The Attorney General shall have concurrent jurisdiction with the county attorney in the prosecution of offenses under the Nebraska Bingo and Lottery Control Act." That sentence in part one of my amendment I am deleting and I'm deleting it for the reason that there is a statute in existence which I have passed out to you which, basically, states that the Attorney General has concurrent jurisdiction with county attorneys on all matters, not just this matter, but on all matters. And so the language is at best redundant. However, I would prefer to see the language eliminated because it may set up some kind of inference that the general statute giving the Attorney General concurrent jurisdiction somehow has less broad an interpretation if you're going to start out in individual statutes pointing out that the Attorney General has specific concurrent jurisdiction in an individual case. So I think it causes some confusion and I would ask for the deletion of that sentence. The second part of the amendment also on page 13, starting on line 21, and deleting that sentence. And that sentence says that any prosecution under the Nebraska Bingo and Lottery Control Act shall be instituted within 18 months from the time the offense was committed. Now the offenses committed under this act are misdemeanor offenses. Under the general law of the State of Nebraska, 18 months is the statute of limitation for misdemeanor offenses and so once again this language is redundant. However, once again it may cause confusion because the general statute has some provisos attached to it and I have passed out to you the general statute that applies to misdemeanor offenses and you