

the code as a Class Five felony and therefore basically therefore there would be no penalty. Certainly Senator protect ourselves to suggest that we should have a penalty and the old penalty was closest to Class Four felony and I'm sure in fact that that was the intent. It was probably just a typographical error. So, just change the five to a four because there is no such thing as a Class Five penalty in the code.

PRESIDENT: Senator Neil Simon.

SENATOR SIMON: Mr. President, I rise to support that but I just want to correct the record because I'm sure that Senator Fowler must have mistakenly meant our competitors rather than our fine established company.

PRESIDENT: The question is the adoption of the motion of Senator Fowler, or the amendment. Record your vote. Record.

CLERK: 30 ayes, 0 nays Mr. President. That is all the amendments that we have on there. I still have a package of amendments for various articles throughout the bill.

SENATOR BARNETT: Mr. President, we will take up Article 11 tomorrow. I doubt very much if it will take very much time at all because 11 is the gambling statutes which we, with the Attorney General's help, as I understand it from Senator DeCamp, Paul Douglas has offered to go through this with us during the interim or to visit with us about these. I don't know if he will help us write them, but he will help us in interpretation of the Supreme Court decision and with that maybe John has a comment on it which...we only have a couple of minutes left John, on Article 11. It shouldn't take too much time should it?

PRESIDENT: Chair recognizes Senator John DeCamp.

SENATOR DE CAMP: Mr. President, Senator Barnett has correctly stated the situation, we have been working on the gambling laws specifically for about four or five years and there have been questions and controversy over how the lottery question should be handled. As you know the big green lottery went way up to the big court and a couple of decisions have come down from there and it is clear that we are going to have to completely rewrite the lottery law if we are going to get things under control and prevent problems there. There are other questions raised there by existing gambling laws such as what really is illegal anymore. Is it...how serious of a crime is it when they have the Chess Tournament in town sponsored at the Hilton Hotel or wherever. How much gambling really occurs in violation of the laws out at the State Fair, and things like this. Are activities at the University in violation of the various gambling laws. The difficulty in coming up with the comprehensive rewrite in the area of the gambling laws has to do with the Constitution and there may be a constitutional change required and so Mr. Douglas who is interested in this area just as we are has agreed to sit down and start from scratch and see if we can't come up with something between now and next year which is reasonable and acceptable and deals with the realities of life in 1977-78 in Nebraska. So, I guess what we could do on this particular section is take it as is right now with the understanding that