

SENATOR V. JOHNSON: Madam President, members of the Legislature, you have heard excellent discussion on this issue from Senator Chambers, and Senator Johanns. And Senator Johanns said something which I found extremely informative. She said, I have worked in a bar, I know the bar business and I know in the bar that the machines can be set, they can be set for 15 games or less, or they can be set for 15 games or more. Now if we have a law on our books which says that the bartender can literally make the decision as to whether or not his machine is going to be a gambling device by virtue of the setting of the machine, then I think we have a bad law. What you do is you simply say the number of games is an irrelevancy, what is the relevancy is the use of the machine, as Senator Chambers pointed out, the use of the machine. So I'm simply taking out of this bill the provision that in effect allows the bartender to determine whether or not he's going to break the law or abide the law and put the responsibility where it belongs, on the use made of the machine by the bartender and the use made of the machine by the patron, and that is good criminal law. With that, I would offer the amendment.

SENATOR LABEDZ: Senator Johnson was closing on the amendment to LB 523. All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Have you all voted? Mr. Clerk, record, a record vote has been requested.

CLERK: (Read record vote as found on page 2605 of the Journal.) 28 ayes, 12 nays on the adoption of the amendment, Madam President.

SENATOR LABEDZ: The amendment has been adopted. Is there anything else, Mr. Clerk? Senator Johnson, would you like to readvance the bill?

SENATOR V. JOHNSON: I move it be readvanced.

SENATOR LABEDZ: The motion is to advance the bill. All those in favor say aye. Opposed nay. Motion carried. Anything else, Mr. Clerk?

CLERK: Yes, Madam President, I do. Senator, you want to go with your priority motion? Madam President, Senator Hefner would move to bracket LB 523 until May 28.

SENATOR LABEDZ: Senator Hefner.