

January 5, 1996 LB 357

attorney and, furthermore, that we change the word "shall" to "may" and acknowledge the prosecutorial discretion that exists in the county attorney to make a decision based on the fact and the complaint as to whether there should be prosecution. That's the sum and substance of the amendment.

SENATOR WILL: Thank you, Senator Beutler. Senator Maurstad. Senator Maurstad waives off. Senator Hillman.

SENATOR HILLMAN: Yes, Mr. Speaker, members. Senator Beutler, I have a few questions, if I could, with your amendment.

SENATOR WILL: Senator Beutler.

SENATOR BEUTLER: Yes.

SENATOR HILLMAN: Do you have a constitution handy, Senator Beutler, that you could refer to?

SENATOR BEUTLER: I do.

SENATOR HILLMAN: The small one on page 52.

SENATOR BEUTLER: Page 52 of the...

SENATOR HILLMAN: Right.

SENATOR BEUTLER: Are you in the statute book?

SENATOR HILLMAN: No, the constitution, just the small one that's in there.

SENATOR BEUTLER: Pardon me?

SENATOR HILLMAN: Let me refer to it in another way then.

SENATOR BEUTLER: What article and section?

SENATOR HILLMAN: Right, we're looking at...this is such a long...it would be Section 8, but you keep going through all of Section 8, which is all the can "do's" and can't "do's", and you get...

SENATOR BEUTLER: Is this of Article XII?