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April 2, 2004 LB 1084

SENATOR CHAMBERS: Senator Beutler, are you preparing that amendment?

SENATOR BEUTLER: I am, but I haven't had an opportunity to discuss it with Senator Erdman to see what his intent was and that kind of thing.

SENATOR CHAMBERS: Then I will continue to speak while you and he discuss that. I will tell you why I think it's a good amendment. When you say "shall," you close the entire field to every other prosecutor in the state. There could be situations where the Attorney General may not have enough time to take the case, where the Attorney General may not want to take the case. But if you say "shall," then it means, if the Attorney General does not act, nothing is to be done. With all due respect to the Attorney General, I don't want a situation to arise where there could be political cronyism that could creep in and somebody would be given a free ride. I've been critical of the current Attorney General for how easy he let off the former State Treasurer Byrd, and I'm not satisfied with the way the current Attorney General handled the case of the man who was worked for...as head of the Lottery Division and took that trip and didn't...for his wife and did not pay for it, which was a violation of the law. Months passed and he didn't pay. Then, when it became clear that a complaint was going to be filed or had been filed, he then paid, and the Attorney General, he's a youngster, naive, but I don't think this can be attributed to that, concluded that although the law was violated, this man intended to pay all the time. Well, that's like you get a traffic ticket, you don't pay it and they put one of those boots on your car or tow it to the impound lot and you say, oh, well, I intended to pay all the time; I just didn't get around to it. They say, oh, okay, then we'll drive your car back to your house and we sweep the books clean soon as you pay your parking ticket. There is too much of that, that goes on. This area of the law is too serious. I took it very seriously, worked with the parties who had an interest, so I do not want to create a hermetically-sealed way of handling this so that should a friend of the Attorney General be involved, or should a hospital or some provider who is a friend of Sokol, Yanney, or Scott prevail on the Attorney General to do nothing, then nothing will be