

SENATOR SMITH: Okay and then finally...

PRESIDENT: One minute.

SENATOR SMITH: ...I think something else that Senator Chambers brought up a little while ago, we tend to do things in here and after being here now, this is my fifth year, I'm beginning to learn that the more we enact law it seems like the more we create the need for more law and increase the cost to the state and then we all keep talking about, you know, how...or the way our budget is going, where is it going to end, and I think that Senator Chambers has made a lot of valid points. I hope other people were listening to him this morning and I certainly hope he speaks to the things that I have just addressed here if he has another opportunity to speak. Thank you.

PRESIDENT: Thank you. Senator Abboud, please. Thank you, you're the last one, but thank you anyway. Senator Lindsay, would you like to close on the motion to advance?

SENATOR LINDSAY: Yes, Mr. President, members, the current state of the law in Nebraska right now is that prostitution is a Class V felony. The Omaha...in Omaha there is a city ordinance which also sets a penalty for prostitution which is in excess of that. There is a question, in my opinion I believe that it is unconstitutional and could very well be decided that way. Now I wouldn't say that the Supreme Court would agree with me. I don't think I'm in a position to say that, but I think there is a serious problem there. I think that the points that have been brought up and I would address the question that we've talked about, the pandering; 28-802 of the statutes provides that pandering is a Class IV felony. It is a felony under current law. We do consider it to be the more serious of the crimes. Prostitution, as I've mentioned, or at least the prostitutes, and I'm sure I'm going to run into people differing with me even in the body here. Some people say it is a victimless crime. Some people say that the victim is the prostitute. Others say that the victim is society as a whole. Regardless of who the victim is, there is a problem with prostitution and I would invite any of you to my district or to Tim Hall's district to come on down and take a look for yourselves. There is a problem in that 9th District. Be careful when you go there. To address a couple of Senator Chambers' questions that I forgot to address in my last time I talked, first of all, I don't think this is going to increase the...it is going to cause this huge backlog