

and Senator Moore, maybe what Senator Crosby suggested is right, separate the wheat from the graph, graphic. (Laughter.) Well, anyway...yes. Somebody told me that something down here that I thought was larvae is really wheat. So it shows that not everybody has sufficient background in agricultural matters and items to understand what it is that they see. But I'm sure that, if they send this item around the world, then there are people who will see different things, so maybe there should be an explanation that goes along with it. I've tried to deal with this in a lighthearted fashion, but I'm really serious about us continuing as a Legislature to criminalize conduct. We're too quick to attach criminal punishments to conduct, and there is no need to make this a crime. Oh, Senator Landis is gone, I was going to ask him a question. Oh, Senator Landis, if somebody has a copyright and I infringe on that copyright, is that a civil or a criminal offense?

SENATOR LANDIS: It's a civil offense and what you do is you obtain the benefit that went to the wrongdoer. They make a profit on it, you get their profit, basically. And it is a civil exchange in the form of compensation for having used their property interests.

SENATOR CHAMBERS: Thank you. Senator Landis, I agree with what he said absolutely. So why is the State of Nebraska going to make it a crime to take this? I don't know what all these penalties are just by memory. But there is probably a fine that attaches to a Class III misdemeanor. And the thing itself is not worth the amount of the fine. You take somebody to court for having infringed, and if the judge...there was a judge of the U.S. Supreme Court, named Oliver Wendall Holmes, and he wrote a little rhyme and he talked about he opened this paper that somebody had written, or somebody opened the paper that he had written, and the guy was just laughing and laughing, then pretty soon he got to another line, and by the time he was through he was rolling around on the floor and Holmes concluded by saying, and that's why I never write as funny as I can. After the judge got up off the floor, wiped the tears out of his eyes caused by the laughter, I don't think a judge would convict anybody for having done something with this, because it's not a crime to be foolish, and that's the most you could accuse somebody of, being foolish to circulate something like this. But it's a mistake, in my opinion, and very bad legislative policy to make this a crime. So my motion is that we strike Section 4.