

theft of any other piece of property which we have uniformly, since the revision of the Criminal Code in '77, uniformly we treated...we have treated with regard to value as opposed the type of property it might be?

SENATOR BERNARD-STEVENS: Madam President, Senator Beutler, I appreciate that. As you can tell, this is not the field that I'm real comfortable in and so other senators may, in fact, have more expertise than I. I was asked to introduce it on their behalf and have done so. My understanding is there is a tremendous difficulty out in western Nebraska and central Nebraska, particularly on cattle theft, and some of the definitions that they have had on value of cattle theft simply did not apply anymore, particularly with the increases in the price of the cattle market and the value of what a calf might be. An example would be that you may not be able to be prosecuted because the value of the animal is under the statutory limits that they have now, not recognizing the fact that as the animal matures naturally it would be increased in value and then it would be covered under the statute. So what they wanted to do is say, listen, if you have cattle rustling, for the most part, or stealing of cattle and they're of a calf in nature that that's an animal that is going to have a mature value, that is going to be of market value that would be under a criminal intent later on so we wanted to include that as well, so they put the no value on there because we're talking about the cattle and what the potential value would be. And that's my understanding as best that I can give you on the intent of that, Senator Beutler.

SENATOR BEUTLER: (Microphone not activated.) ...comment, Senator Bernard-Stevens, I have serious reservations about any criminal provision that singles out a type of property and says we're going to treat it in accordance with different principles and I suppose maybe there are some justifying principles. But I remember back when they recodified things in 1977, they did it for the purpose of some kind of uniformity in penalties so that you didn't have people in the penitentiary for stealing something that was worth a \$100 and other people in the penitentiary who didn't go to the penitentiary until they stole something worth \$300, just as an example. And I think we ought to take a serious look at that kind of provision so that we don't go back into this...this is one of history's cycles, in my opinion. You start out with a uniform Criminal Code that seems to treat everybody equally, then over the years each individual