

April 2, 1991

LB 218, 344

and not voting, Mr. President.

SPEAKER BAACK: LB 344 passes. Do you have any messages, Mr. Clerk?

CLERK: Nothing at this time, Mr. President.

SPEAKER BAACK: We will now proceed to Item 6 on the agenda, which is a motion by Senator Bernard-Stevens to return LB 218.

CLERK: Mr. President, Senator Bernard-Stevens...Senator, I had your amendment that was printed on page 13, and I understand you want to temporarily withdraw that. Mr. President, Senator Bernard-Stevens would move to return LB 218 to Select File for specific amendment. I have AM1029 in front of me, Senator.

SPEAKER BAACK: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, members of the body. We are returning it from E & R. We knew the bill had to have another amendment because of a drafting error that actually Senator Pirsch caught and Senator Kristensen on the floor the other day. This, obviously, will save the expense of printing up another final copy of the bill, until the bill is in shape enough to warrant that. This amendment, if the body would return it, would do the following, and I want to make kind of clear what happened to bring us where we are today, and why this amendment is being offered, and what the options are to members of the body. The bill, basically, deals with branding, and it also deals with the theft portions of the statutes of the State of Nebraska. The original intent of the bill, and it still hopefully will be what the bill will do, was to put as a Class IV felony cattle that had a value of less than \$1,000. Basically, if you stole a calf, that would be a felony, and the argument was that this at that point, and still is today, that if you steal a car, in most cases, it is going to be a felony. It will be over \$1,000. In some cases, I have seen some of the vehicles we have driven, they may not be. On the other hand, on a calf, we know that this is something that clearly is going to be an increase in value and we wanted to make that a felony because as the statutes were now, anything \$300 to \$1,000 would be, for the most part, a misdemeanor, so the incentive would be if I am going to steal a calf, or if I am going to rustle or steal cattle, I will do it as a calf because it would then be a misdemeanor. The cattle industry has been working at this for a