

with the prosecution, don't go after the criminal code, go after the prosecution. It doesn't make sense to do it in the method that we are doing it. I'd ask the body to take a look at what this amendment is doing and it just defies logic, and the only category it can fall into is special interest. We are right now having a huge problem, as some of you, I guess all of you understand, with our property tax problem, and that property tax problem started at some point when people said I need some special interest legislation. I need an exemption. Then the next guy came in and said I need an exemption, too. And those exemptions started snowballing, and before you know it, 20 percent of our property is on the tax rolls and the rest is exempt. That same type of thing is going to happen in this area. If we take one step and abuse our criminal code for the purpose of getting the calf or the cows in there, what is going to be the next step? Are the merchants going to come in next year and say anytime you shoplift that ought to be a Class IV felony and I don't care what the value is? Or the Commonwealth depositors could come in and say anytime you embezzle that ought to be a Class IV felony and I don't care how much is embezzled. We have got all sorts of special interests out there and you people are going to hear from every one of those if we take this first step down this road. We don't have a valid reason to be changing the code in this area and I suggest that the body reject the amendment.

SENATOR WARNER PRESIDING

SENATOR WARNER: Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. Speaker and members of the Legislature. Quite frankly, I am surprised that this motion was returned, but it is still not too late and I wish that you would think carefully about what we are doing. It may seem like a simple thing and a way to accomplish what you think your constituents want, but you have a far greater duty and swore an oath when you came to this body that you would uphold the Constitution of Nebraska and the United States, and part of that is equality under the law. This is treating different things differently. One of the reasons they redid the criminal code was because it was a hodgepodge of special interest crimes and penalties, and it needed to be done. There were some things that were left out but it needed to be done that we have equality under the law. To...we use to hang cattle rustlers, you know, and I think everyone probably would agree, maybe not,