

will be a misdemeanor and we don't want to change that because, gosh forbid, if we make an exemption or if we make a, not exemption, if we make an exception on a legal standard, because certainly the legal standard is far more superior apparently than individual needs. And Senator Chambers and Senator Lindsay stand up here and ask Senator Kristensen these words, what would you do as a prosecutor, what would you do over here, and what would happen over there? Quite simply put, that if I were a prosecutor and I do not want to prosecute for the felony, I will find a way not to do so. This bill will not stop that. They are absolutely correct. But there are two other types of attorneys out there. Actually there are a lot of other types of attorneys, but two to fit this particular bill. One type would be the one that says, I am sorry, Mr. Shoemaker, or whomever the cattleman is, Mr. Hansen, I am sorry, I will prosecute to the letter of the law, and the letter of the law in this case means it will be a misdemeanor. To those county attorneys,...

SENATOR WARNER: One minute.

SENATOR BERNARD-STEVENS: ...this law will have an effect. They will prosecute to the letter of the law, and a message would be sent as it is in other cattle states, of which Nebraska is the nation's largest in cattle feeding. The message would be sent that cattle theft is simply a felony, period. There is no heinous crime here as far as potentially opening some Pandora's box that everybody and their dog is going to come through. They will be doing that on the tax side. There is another type of attorney that is out there, and he will be the one that simply refuses to look and prosecute, simply because they don't want to go out and waste the manpower to try to get the thing done. This bill won't help that either.

SPEAKER BAACK PRESIDING

SPEAKER BAACK: Time.

SENATOR BERNARD-STEVENS: I urge the support of this amendment to LB 218

SPEAKER BAACK: You have heard Senator Bernard-Stevens closing. We will now proceed to vote on the amendment to LB 218. All those in favor vote aye, opposed vote no. We are voting on adoption of the amendment. Senator Bernard-Stevens.