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March 16, 2004 LB 1084

SENATOR CHAMBERS: Are we talking about child molesters in this bill? Are they the ones we're punishing, in this bill?

SENATOR JENSEN: No.

SENATOR CHAMBERS: Are we talking about rapists?

SENATOR JENSEN: No.

SENATOR CHAMBERS: Well, certainly we're talking about those who commit spousal abuse, aren't we?

SENATOR JENSEN: No.

SENATOR CHAMBERS: We don't punish those categories of persons in the way that we do in this bill, do we?

SENATOR WEHRBEIN: Time, Senator Chambers. Sorry. Mr. Clerk.

CLERK: Mr. President, Senator Beutler would move to amend the committee amendments. (AM3099, Legislative Journal pages 1075-1076.)

SENATOR WEHRBEIN: Senator Beutler.

SENATOR BEUTLER: Senator Wehrbein, members of the Legislature, my amendment has to do with the penalty structure for the criminal provisions, and that penalty structure begins on page 14, about line 21, if you want to follow. But basically, as I looked at this penalty structure, I do what I sometimes do and looked back at comparable kinds of provisions in the other sections of statute so that I can have a sense of whether the penalties are similar or proportional for similar kinds of offenses. And in this case, I compared the penalty sections for this Medicaid fraud to the general theft offenses. And the theft offenses had more serious penalties for the very same offense. For example, if the theft...theft constitutes a Class III felony where the value of the thing involved is over \$1,500. And in this bill, for illegally claiming over \$1,500, in other words stealing \$1,500, it's only a Class IV felony. I,