

to having to deal with criminal offense bills. What we are accustomed to dealing with, though, are people who come in on liquor issues, and people who come in on video slot issues, and other gambling offenses. And all of a sudden, one day, we found ourselves faced with a bunch of librarians. (laughter) They are a lot different from your bartenders, and they are a lot different from the gamblers and the like, you know, and they persuaded us that they had a problem. And they had a bill and they had a lobbyist, and we said, we ought to help those librarians out. Now I knew in my heart of hearts that we had the law in the books that would help the librarians out, that we had the theft statutes, and we had, you know, acquiring stolen property statutes, and we had everything that they needed. But they were a different kind of people who came before us. I wanted to give them respect, Senator Hefner did too, and Senator Conway did too. So we put this bill out. This bill is not a good bill because it is a significant breach in the kinds of standards that we have in the criminal law which don't deal with libraries, or synagogues, or churches, but they deal with a more generalized kind of offense, a theft offense, and acquiring stolen property offense. Yes, some offenses are not actively prosecuted by county attorneys because they do involve small amounts of money. Now that is not a problem of the criminal law. That is a problem of the prosecutorial function. You and I should not begin the process of clobbering up our criminal law because our county attorneys are reluctant to prosecute. We should simply...in this context we should make certain that library boards, themselves, take the time to encourage their employees to go to the homes of some of the users of the services to recover books, to use traditional civil means to recover books. But we probably should not vote to break the dam, so to speak, on the essential purity of our criminal code. I do think the Judiciary Committee, for the last eight years, has done a doggone good job in making certain that we don't have special legislation for this, and special legislation for that, but instead that we keep our criminal code on a pretty high planed level. At this time I am going to break faith of the committee, vote to kill LB 288, and recommend that you do the same.

SPEAKER NICHOL: Senator Hefner, for what purpose do you rise?

SENATOR HEFNER: (Response inaudible.)