

range. If somebody committed an act and it merited one year in prison, and somebody else committed the same act and it was so much worse that it merited thirty years, in my opinion, you don't have the same act even if they are called by the same name. To have a disparity, based on the seriousness of it, of thirty years in terms of the sentence means that you are dealing with two essentially different actions. What I'm saying is that even with the amendment that I'm offering, which would change the maximums so that there is a gradation upwards based on the seriousness of the offense, there is no logic to having a spread of thirty years. One to thirty years would be the Class II felony. Now it is one to fifty, and whether somebody gets the maximum or not, the possibility is there and I don't see how anybody could reasonably define an act which at the bottom end is so harmless that you get one year imprisonment, which with good time would be six months, or fifty years. You are not dealing with the same kind of conduct. Even if you adopt this amendment, a thirty year spread is too much. The next higher would have a thirty-seven year spread if you adopted the amendment to make it forty instead of fifty. The highest of these three would have a forty-five year spread if you adopted my amendment. I am going to work on this bill, and I'm going to work on these issues because it is before us, and maybe we will go eight hours and Senator Abboud, whose bill it is, will invoke cloture. Then the only thing in the bill will be community corrections, the boot camp, and a blunder which is, Senator Hohenstein, the truth in sentencing, which was passed by way of LB 529 the other day, so that now is law. So in 627, we have language which has already been enacted into law. I have to be honest on that one though. I was talking to Senator Beutler, and even though this amendment which I'm discussing, that was the substance of LB 529, was amended into 627 and 627 was farther along at that time, I told Senator Beutler that being wise and knowing that 627 may not pass at all, it would be the better course to go ahead and let LB 529 pass on its own and become law, which it has done. So it scooted right on around LB 627, the tortoise and the hare syndrome. LB 627 was just a rolling down that old track, or old 627 was rolling down the track, and there is old LB 529 just sittin' in the roundhouse, sittin' and waitin' and watching, but knowing the story of the Little Engine That Could realize that once out of the roundhouse, it was going to shoot down the track, 627 would be shunted to a siding where it will repose indefinitely, and LB 529 could then just kind of meander its way to final passage, which it has done. LB 627 is going to find its final resting