

considering calling FA243. It relates to the habitual criminal statutes again, Senator. (FA243 appears on page 2352 of the Legislative Journal.)

SENATOR HALL: Senator Lindsay, you're recognized to open on that portion.

SENATOR LINDSAY: Thank you, Senator Hall. I did have my light on because...

SENATOR HALL: The call is raised.

SENATOR LINDSAY: I did have my light on, Mr. President, because when Senator Bernard-Stevens was in the Chair he gave me 30 seconds to explain a bill we subsequently spent two hours debating. The...(laughter). And apparently I did it well because it got adopted. FA243 is subsection 5 or division number five on the list that was passed around to you. What it would do, briefly, and I should point out we do have...we're down to three portions, three divided issues on the committee amendments, should also add that we do have, I think, 30 people here voting on the last...the last amendment. I think 33 are needed for cloture. I'm not a rocket scientist but it's difficult to get 33 from 30. I don't know if there are some who are still in their offices, if so, I would sure be interested in knowing if you're around. (Laughter.) The FA243 would add...in the habitual criminal statutes, right now there is a listing of different statutes upon which we can premise the enhancement of the penalty under the habitual criminal statute. What this would do is add to that violations of other states' laws and federal laws similar to the...similar to the laws which are being offend...or which are being violated. It's a...an example, if you have a...if someone is a repeat sexual offender, you have three sexual assaults but one of those is in Iowa and only two are in Nebraska, the Iowa conviction...what this subsection would allow is the Iowa conviction to be...if the law is substantially similar to the Nebraska conviction, to be used as a premise, one of the crimes upon which you can premise the enhancement of that crime into a...to create the habitual offender situation. With that, would be happy to try to answer any questions, and urge the adoption of the amendment.

SENATOR HALL: Thank you, Senator Lindsay. Senator Will, your light is next.