

whatever the consp...whatever the underlying offense would be, the conspiracy is one step below that? They don't make the conspiracy the same level of offense...

SENATOR LINDSAY: Yeah.

SENATOR CHAMBERS: ...as the actual crime. So let's say the crime...

SENATOR LINDSAY: They might, I don't know. I think here I believe conspiracy is the same level of crime. I think generally conspiracy is the same level, it's the attempt that is a...attempted crime would be one level below, generally.

SENATOR CHAMBERS: Are you sure that the conspiracy is the same as actually committing the crime? And I'm not trying to be argumentative.

SENATOR LINDSAY: Yeah, am I sure? No, and I will certainly check it...

SENATOR CHAMBERS: Okay.

SENATOR LINDSAY: ...as soon as I'm away from the microphone. But I believe that's the case.

SENATOR CHAMBERS: Now I looked at some arson statutes in Florida and they're not the same as in Nebraska. They use the same terminology but they have different degrees. So are there different...do you know that if a...if an arson offense is called arson in the first degree in that state, it would be the same elements as arson in the first degree in Nebraska?

SENATOR LINDSAY: Oh, absolutely not. You can't tell from just simply the title of the statute.

SENATOR CHAMBERS: So we would have to look at the wording of the...

SENATOR LINDSAY: Absolutely.

SENATOR CHAMBERS: ...statute itself.

SENATOR LINDSAY: Absolutely.