

offense is a Class IV felony. The original offense that might cause you to be under, the original offenses, I should say, which might cause you to further violate the Registration Act, for the most part are felonies, but several of them are misdemeanors. It's never appropriate, in my opinion, to make an offense that follows upon a misdemeanor be of a grade higher than the original offense. That is if the original offense was a misdemeanor, then under most of our theory of what are called inchoate offenses, like attempts or conspiracies, the offense should be no greater than the original offense. And so I did ask Chris to think about what I think is another small defect in the bill, and that is to change it so that if the original offense was a misdemeanor, failure to register for that misdemeanor would be in the same class as opposed to being a felony. And that's all, that's all I wanted to point out. Thank you.

SENATOR CROSBY: Thank you, Senator Beutler. Senator Chambers.

SENATOR CHAMBERS: Madam President and members of the Legislature, it doesn't take much to amaze Senator Firsch. And it doesn't take much to amaze me any more about the inability of senators to understand plain English that's found in amendments that are adopted. If you read Senator Abboud's amendment, we've talked about it, so I'm...this doesn't refer to Senator Abboud, 'cause I think he sees what I was saying. And maybe I wasn't making it clear. You have a list of specific offenses that qualify a person to be considered a violent sexual offender. Some of those offenses are not sexual at all. So a person can be found to be a violent sexual offender if he or she is likely to commit nonsexual offenses. Now I know it doesn't make sense to Senator Klein, I know it doesn't make sense to Senator Schimek, it doesn't make sense to Senator Janssen, but who's following? This is a bad law. Whenever senators go to a federal law and take parts of it and say this is what the federal law says, therefore we'll put it here, the fact that it's a part of a federal law doesn't mean it's going to be constitutional under the Nebraska Constitution. They can draft laws more loosely and succeed in a federal prosecution in federal court. When the federal government prosecutes, they go to federal court. They have their rules of procedure. They have their body of case law. And in many instances, the Nebraska Supreme Court gives greater protection to the rights of citizens than the federal law does, gives greater protection