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premeditation and the intent that's required for first degree murder when we require of you your life, that doesn't have to be proven. Now should we just continue that at the capital punishment level? Now, if all we were going to do is change felony murder from a capital offense to life imprisonment without parole, I won't bore you with all the details, but this bill would not have wound its way and we would not be discussing what we're discussing. But we're able here to accommodate the concerns of those who wonder about the fairness and the justice and the equality and the balance and the proportionality of the sentence for felony murder and were able to do something else. We're not reducing the crime subject to this, we're not maintaining them the same. So for those who want to go out and characterize it as doing something wrong and being light on the criminals, I'm sorry, that's a mischaracterization. You can only characterize it that way if you think the only way to punish people for their crime is to execute them, because we're adding, by 33 and 1/3 percent, more offenses, subject to this easier methodology and burden of proof. We're adding three very serious offenses for which no prosecutor in the state of Nebraska could today prosecute anybody under felony murder. You could not prosecute sexual assault of a child, where it was a sexual assault and the child died, without the intent; you could not prosecute that as felony murder today. You could not prosecute felony child abuse, where it's knowing and intentional, as felony murder today; and you could not prosecute first degree false imprisonment, where you lock somebody up, supposedly without the premeditated intent that they starve to death, and they had a heart attack, you could not prosecute that as felony murder today. And if we walk through the amendatory process of LB 509,...

PRESIDENT MAURSTAD: One minute.

SENATOR BRASHEAR: ...we will have those three additional crimes prosecutable by our county attorneys and our prosecutors as felony murder. And, if convicted, those defendants and all other defendants, whether it relates to felony murder or not, who are adjudged guilty of Class IA will do life in prison without parole. Then we won't have to say we've been soft, and they'll be out in 20 years and all the other things. So we will increase the reach and the scope of felony murder.