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Black people, as a whole, may have a more negative attitude against homosexuality than any other single group in this society other than Christian rightists. But if there are some black Christian rightists, well, you know they are the worst of all and some of them are in my district.

SENATOR CUDABACK: Thank you, Senator Chambers. Senator Matzke, on advancement of LB 509 to E & R Initial. Senator Matzke, followed by Senator Chambers.

SENATOR MATZKE: Thank you, Mr. President, members of the Legislature. We're to the bottom line now. I think the last vote was very reassuring and I think that debate has been very helpful to delineate just what the issue is. The felony murder statute, as it stands, has served justice, not only in this state, but has served justice throughout the country quite well. A kidnapper who abducts a child for ransom or sexual abuse and leaves the child to die in the trunk of a car commits a felony murder. An arsonist who sets fire to a house also burning and killing the family inside commits a felony murder. A hijacker who commandeers a school bus crashing it into a ravine and killing the children commits a felony murder. A burglar who shoots and kills a homeowner who awakens in the night commits a felony murder. The statute is a protection to our people, to are citizens. It's necessary, I think, and Senator Brashear has called attention to this, I think it is necessary to draw a line between what the law says and what later happens in the discretionary sentencing portion of a criminal case. The statutes are fine. There is no question but what in certain cases, as Senator Bruning referred to, there is a discretionary part that we...we rest that responsibility in juries, in our judges, and in our appellate courts. We don't always agree with the decisions that they come out with. There is only one solution to that, the federal government tried it, and that is to set minimum and maximum sentences, and that often leads to more injustice than leaving discretion and the determination of guilt or innocence in the hands of a jury, a judge, and the appellate court. That's always going to be the case. The results we may disagree with, and I've disagreed with the results in many cases, usually by judges and not by juries. I think, frankly, that juries do an excellent job in this state in arriving at substantial justice. Nevertheless, don't confuse