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LB 270

SENATOR FRIEND: Okay. Thank you, Senator Brashear. I think I understand and I believe that this amendment...I believe this amendment clears things up for me a little bit. I rise in...I guess I would say...

SPEAKER BROMM: One minute.

SENATOR FRIEND: ...that I'm in support of it and I would like to say that, while respectfully agreeing, I think, with the direction of questioning that Senator Foley is going down, I'd like to deal...this might be something that we can deal with in the future in a different manner. So I would return the rest of my time to the Chair, and thank you, Mr. Speaker.

SPEAKER BROMM: Thank you, Senator Friend. Members, a short announcement. Like to announce that Senator Jim Jones and his wife, Pat, are celebrating their 50th wedding anniversary tomorrow and, in celebration of that, Mr. and Mrs....Senator Jones and his wife have brought some pizza, which is in the lounge, that anyone want to have a piece of pizza over lunch. So congratulations, Senator Jones and Pat. Senator Raikes, followed by Senator Bourne.

SENATOR RAIKES: Thank you, Mr. Speaker and members. My concerns I think don't deal with Senator Foley's underlying issue. They deal with the specific procedure. And I ask a question and haven't gotten an answer, as far as I know, so either I didn't ask the question clearly enough or it was answered and I wasn't sharp enough to pick it up. But my question again is this. It seems to me that in fixing the hate crimes provision of our criminal statute there were two routes to go. You could do it in the same manner that was done in addressing the death penalty issue. You could have, in effect, a two-step process. First, the jury decides, if the defendant wants it, whether or not there was a first-degree murder. Then, as a separate step, there's the decision about whether or not there were aggravating factors. It seems to me that that procedure could have been applied to hate crimes. You first decide...the jury decides whether or not there was the underlying crime committed. Then the second step would be