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after a crime, excited utterances are the most common thing we get admitted into court, because they're excited after the crime and excited utterances are admissible.

SENATOR CUDABACK: Time.

SENATOR MOSSEY: It's not hearsay.

SENATOR SMITH: Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Smith. Members, when you turn your heads to respond, be sure and keep the mike in mind. Everybody wants to hear what you have to say. Thank you. Senator Beutler.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, I think we should think a little bit about what we're letting happen now. We've only had three bills this session and the first two have turned out to be highly controversial, and appropriately we debated them at some length, and I don't have anything negative to say about the way we handled those first two issues. But this issue came to us not as a controversial matter. It came to us with two purposes: one, simply to fix a law that's already in the books; and secondly, to add an amendment that gives victims the rights that we promised them under the constitution, a matter that I think is noncontroversial with most of us. So what we're doing, what we're starting out doing here is making every bill in front of us controversial. I think that the Foley amendment is inappropriate for a number of reasons, including the fact that you are inserting into this bill an issue, the emotional nature of which creates an intensity that will cause us to make it a major bill, and we just can't do that with all the bills in this session or we're not going to fix anything and we're going to be an embarrassment. I think what Senator Foley needs to do on the question of the unborn is to bring that to us directly in a bill, as he brought to us LB 172 earlier, a few days ago. That was appropriate. But I don't think it's right to hold up an amendment that benefits almost all victims for the goal of including another category of victim that will be very small compared to the good we would do ensuring the rights of all that