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FLOOR DEBATE

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SENATOR ERDMAN: ...the body is being asked to realistically put in law hate crimes procedures and policies that under which a citizen of the state of Nebraska would be prosecuted, period. Because at this stage of the game, that is not an option to prosecutors. Information can be collected, as Senator Mossey has pointed out. So I thought, from my perspective, I would share that, because I think that's where we are actually at. We are truly debating whether or not this should be the law. The question is, we have precedent in Nebraska where it had been settled once; do we continue to follow that precedent? If we do, then we have an obligation as a body to pass LB 270. If we don't, I also think we have an obligation as a body to include language in whatever LB 270 becomes that says we repeal those sections. But I would agree with Senator Friend that we can't just say let's do nothing, because that is not what I believe is our responsibility as lawmakers, and I don't believe that's in the interests of the citizens of the state of Nebraska. When they look to what the laws of the state are, it's my opinion that those laws should be clear, they should be...

SENATOR CUDABACK: Time.

SENATOR ERDMAN: ...defensible, and they should be constitutional. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. Senator Smith, on the Foley amendment.

SENATOR SMITH: Thank you, Mr. President and members. I believe that Senator Beutler did raise a concern that is...should be part of this discussion, and I guess I ask the question of how many folks who oppose the death penalty in here will actually support Senator Erdman's effort to clarify or to make the death penalty in Nebraska more applicable or more relevant to the discussion based on speculated court action? And if...I could be unaware of those folks who are against the death penalty but willing to support the bill, but I'm not aware of anyone that is. And so it comes down to do you endorse the concept; do you not? And when we look at hate crimes, and I appreciate the article that Senator Chambers handed out today regarding a bulletin board that was trashed because of the content of the