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FLOOR DEBATE

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bulletin board, now that's vandalism, and so how much greater should the penalty be because of the thoughts going through the mind, the perceived thoughts going through the minds of the folks who committed the crime of vandalism? But I do have to say that there is a compromise here and that is the Foley amendment. As Senator Foley indicated, we can accommodate his concerns, and he goes away and the bill moves forward. I think that's pretty generous. We don't always get that option when there are those disagreeing here in the body, and I think that's pretty generous of Senator Foley. So I hope that we can arrive at a compromise here pretty quickly so that we can get on with issues at hand. Thank you.

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

SENATOR BRASHEAR: Mr. President, members of the body, thank you for your time and attention to this. I specifically want to thank Senator Beutler for the great enlightenment I think he's brought to this debate, and Senator Dwite Pedersen, and all others too. This is a substantive debate. I wanted to rise without "overencumbering" the record and simply remind you this amendment by Senator Foley doesn't do what Senator Foley is trying to make it do. And, no, I mean as he has said to me, we have very cordial conversations, but, no, I'm not going to go write it out and hand him one that works, and I'll stake my reputation on telling you that this one is flawed. It doesn't work. So I want to believe that no one here wants to vote for the Foley amendment, even if that's where their heart or their emotions are, because it's flawed law. And since we aren't in the habit of passing flawed laws, I ask you to defeat the Foley floor amendment. After you've done that, we are back to the issues which have flowed with these two pieces of legislation throughout this entire session, including the last session, this biennium; have gone through the hearing process and everything else. No one brought this issue, as Senator Foley raises it, to either hearing that your Judiciary Committee had on these two bills, which are simply attempting to honestly and straightforwardly, in accordance with law and due process, give the people that which the people have previously said they want. And there's a way for Senator Foley to do that and that's...he's