

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

January 15, 2004 LB 452

SENATOR SMITH: Okay, then I stand corrected, Senator Chambers.

SENATOR CHAMBERS: Now, with the new language you have, is this in addition to the Class III misdemeanor?

SENATOR SMITH: Well, when it says "except that," it would be replacing that provision.

SENATOR CHAMBERS: So then the out-of-state person is not guilty of a misdemeanor then?

SENATOR SMITH: That would be conceivable.

SENATOR CHAMBERS: What kind of classification is this, where you have two people who committed the same offense, which is criminal, and you're going to punish one more severely because that person came from another state? You cannot punish people more harshly under your criminal law because they come from another state, can you?

SENATOR SMITH: That's true, Senator Chambers.

SENATOR CHAMBERS: So then why are you going to punish these people more harshly under this criminal statute because they come from another state?

SENATOR SMITH: That would be my error, and I would be happy to correct that.

SENATOR CHAMBERS: And how are you going to correct it?

SENATOR SMITH: With an amendment, Senator Chambers.

SENATOR CHAMBERS: And what would the amendment do?

SENATOR SMITH: Draw a parallel between the two, so that everyone would be treated the same.

SENATOR CHAMBERS: So then you would drop all reference to out-state and in-state, wouldn't you? You'd have to, wouldn't