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February 8, 2005 LB 53

whether I'm going to support this. But I really do feel that there should be some degree of difference for serious crimes. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you. Senator Smith, you're recognized. This is your third time.

SENATOR SMITH: Thank you, Mr. President, members. The discussion we're having here I really believe is productive. And I want to remind everyone that we have on the books--and I don't know how Senator Schimek voted--but the sex offender registry. That carries out beyond the end of a sentence. maybe you want to consider that part of the sentence. But it certainly is a tool for the public to realize that there is still some danger there. And I didn't know until this morning that there was...until just minutes ago, once we started debating LB 53, that there is an Attorney General's Opinion that, in summary, it says, while the <u>Spady</u> case does offer a means to argue that LB 53 is constitutional, there still remains at least some constitutional question as to whether the right to vote can be restored solely by operation of a statute. administrative procedure for a warrant of discharge through the Board of Pardons would avoid that problem. So Senator Schimek, I would have a couple more questions, if you would yield.

PRESIDENT SHEEHY: Senator Schimek, will you yield?

SENATOR SCHIMEK: Yes.

SENATOR SMITH: Senator Schimek, what is the minimum amount of time before someone can go to the Pardons Board to ask for restoration of voting rights?

SENATOR SCHIMEK: Ten years.

SENATOR SMITH: That is the very basic minimum?

SENATOR SCHIMEK: Yes.

SENATOR SMITH: There's no...