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

February 9, 2005 LB 53

open to being used as an incentive in some cases and a disincentive in others. If the ... if our, as a state, modicum of exchange, if our chief deterrent, if our chief punishment was the absence, the profound absence of liberty, then I would think this would be one of the tools as part of that system. Our capstone is the death penalty. And if that's the not. case, if that's our capstone, and we're not as concerned about the use of liberty and its deprivation as our chief tool against law offenders, then as far as I'm concerned, we can do with this and have an automatic form of restoration. Were we in the business of using liberty itself as the chief principle of law enforcement, I would consider the graduated, careful, and sometimes arbitrary even, perhaps, reimposition...or the use of But as long as the death penalty is here, this tool is not necessary. It's not a dead letter, but it's simply piling and we don't need it. Automatic restoration makes sense. And I will vote for LB 53. I mean, I just rise to say that in a different context, if we were in a different state and if we didn't have the death penalty, then I think voting rights would have a significant aspect of the...of restructuring the liberty that we would give to somebody, if that's what we really treasured, ...

SENATOR CUDABACK: One minute.

SENATOR LANDIS: ...prized above all others, and deprived of those who wrong us in return. We would make use of this. We don't need to, and I support LB 53.

SENATOR CUDABACK: Thank you, Senator Landis. Mr. Clerk, announcement, please.

CLERK: Mr. President, Transportation Committee will have an Executive Session at 9:30 in Room 2022.

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Louden, on the Smith amendment.

SENATOR LOUDEN: Thank you, Mr. President and members of the body. I entered into some of this discussion yesterday. Whether I am for or against the amendment I haven't decided. I