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

March 3, 2005 LB 53

crimes and then in a matter of time they're back to voting. Voting is really a privilege that we have. It isn't something that's given to us because we get up in the morning, or that sort of thing. We have to work for it. We should be proud of it, and we should work to keep it. I would like to see this bill returned someplace and more work done onto it, and more thought put into it than just to go out here. And as I said before, by the way this bill is written, all felons are created equal now; and I don't think that's right. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Louden. Senator Smith, followed by Senator Brown and five others.

SENATOR SMITH: Thank you, Mr. President and members. And while I have the floor, I would ask that the motion that I filed be I don't see any need to unnecessarily extend this, although I will want to use my time as allotted for this motion. My concern is several-factor-deep, I guess, and that is that I believe that there are often times civil rights should be restored, and there are also times when they shouldn't be, or when they're...when we're not ready to automatically restore just voting rights, just voting rights. We're not talking about all civil rights, just voting rights. And that's why I maintain, continue to maintain, that this is a political move more than anything else. LB 53 and the automatic nature of restoring just voting rights has me concerned. And I believe that we have other issues involved here, and that is the fact that in recent years we have smacked felony offenses on too many I will concede that. There are some felonies in statute that I think are inappropriately placed. I think that we have this desire to throw people in prison because we don't like them. That is oftentimes inappropriate. I do concede There are also times that, because of our prison overcrowding, because we have gotten tough on criminals, we are not able to appropriately sentence or carry out a punishment for crime that I think is oftentimes white-collar crime. And I refer back to a situation in western Nebraska where the bookkeeper of a local school district, statute of limitations goes back three years, so that's all they could penalize her for, and she got away with about \$350,000. Did she serve in