

March 7, 1973

these two thinking on these two bills or do you not believe that there is any such thing as taking a life.

SPEAKER: Senator Chambers, you go ahead. Do you yield to the question?

SENATOR CHAMBERS: Yes, I yield to the question.

SPEAKER: Go ahead and answer. I would feel that it is not a related question, but go ahead.

SENATOR CHAMBERS: But I think in the terms that it is phrased, I think it is unanswerable. The Supreme Court when it states a position, the Supreme Court statement represents the law of the land. If you reject what the Supreme Court has stated and fly in the face of it, you become a law violator and you're prepared to suffer the consequences if you know what you are doing in advance. If you don't know, then you suffer the consequences anyway. So, I don't know exactly what it is you are trying to ask me, but here is what I can tell you. The law of the land is that up until three months a woman can have an abortion and no criminal penalties can be imposed by the state against that woman or the doctor or the facility where it occurs. Where the death penalty is concerned, there is no death penalty in Nebraska or in any other state.

SPEAKER: The chair next recognizes Senator Whitney.

SENATOR WHITNEY: Would Senator Carpenter yield to a question, please? I was trying to analyze, Senator Carpenter, what your statement was and is it that you would rather not have this bill advance at the moment until we can discuss LB 268 and determine what will happen to it first.

SENATOR CARPENTER: That's not my position. That could be the position of the introducer. All I'm trying to say, I have no objection to what Senator Chambers wants to, but I don't want to be in the position of advocating the elimination of the death penalty in the area in which the Supreme Court, in my judgment, would permit it. I only bring about that Senator Rasmussen has a bill which would implement into the law what the best knowledge in this state suggests we consider doing and I would hope that when you feel ?? you move this bill if you do, you bear in mind you are not in a position of doing what I think some of us want to do by merely moving this bill on. If you want to tie it together, I have no opinion on that.

SENATOR WHITNEY: Yes, I am of the same opinion.

SPEAKER: The chair recognizes Senator Rasmussen.

SENATOR RASMUSSEN: Mr. Speaker, members of the body, I believe that perhaps Senator Chambers was in error. There has been four states pass a death penalty bill within the last week or so and, as I understand, there is 22 other states working on them as we are. I would make the motion that we bracket 146 until 268 comes up to meet it.

SPEAKER: The motion is to bracket LB 146. Are there objections? Senator Luedtke, do you object? Thank you. Senator Chambers, do you object? All right. The motion to object then is overruled. Do you want to take a vote on the issue? Do you want to make a motion on the issue, Senator Rasmussen? Just a second. Senator Luedtke, just a minute.

SENATOR RASMUSSEN: I would make the motion.

SPEAKER: All right, Senator Rasmussen..