

the death penalty, against keeping the death penalty.
That's it.

SENATOR KELLY: All right. Thank you very much, Senator.

SPEAKER LUEDTKE: Senator Kelly, you still have the floor so...

SENATOR KELLY: Mr. President, I would ask that the Clerk read the amendment that we're voting on. I see some discrepancies in Senator DeCamp's statements than what I'm reading in the Journal.

CLERK: The resolution now reads as follows, Senator: (Read DeCamp amendment found on page 724 of the Journal.)

SENATOR KELLY: Thank you, Mr. Clerk.

SPEAKER LUEDTKE: The Chair recognizes Senator Venditte.

SENATOR VENDITTE: Mr. President, members of the Legislature, is the Neligh attorney here? A question of Senator DeCamp.

SPEAKER LUEDTKE: Senator DeCamp, will you respond to a question? Senator DeCamp. Senator DeCamp, will you respond to a question from Senator Venditte?

SENATOR VENDITTE: John, I don't have a copy of your amendments and I just surfacely heard what you are... I guess in the first paragraph of that resolution you said something about some of the Supreme Court decisions. Can you tell me what specific decisions you are talking about?

SENATOR DE CAMP: No, I didn't say Supreme Court... Okay. As it was drafted yesterday and turned into the Journal, the bill drafter said something like, the Legislature shall provide for death penalty by law. Okay? It made it sound or appear as if death penalty would be automatic and mandatory in all cases. I pointed out to the bill drafter that no matter what death penalty we impose, it has to be in compliance with United States Supreme Court decisions. That is what Senator Rasmussen's bill of several years ago was. In other words, it was specifically drafted to comply with United States Supreme Court decisions. So, what I recite here then with this substitute is just that it has to comply with United States Supreme Court decisions so there is no confusion. Do you understand what I'm saying?

SENATOR VENDITTE: Yes. On the other hand, could not Supreme Court decisions be changed day to day?

SENATOR DE CAMP: What? United States Supreme Court decisions? Absolutely. That's why you have the flexibility that if there is a change, the Nebraska Legislature has to comply with them. You have to anyway.

SENATOR VENDITTE: John, the recent decision to uphold the death penalty, would you remember what the vote was on that, John?

SENATOR DE CAMP: To uphold the death penalty? I can't remember.

SENATOR VENDITTE: A five to four decision, Senator. I guess the question that I have, we might be voting on the reverse