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plead to sit in that small cell rather than get the death penalty. The death penalty does work as a deterrent. And, if it does work as a deterrent, let's not take this step, let's not take this first step toward abolishing the death penalty. Your constituents support the death penalty.

PRESIDENT MAURSTAD: Time.

SENATOR BRUNING: My latest survey says almost 90 percent do.

PRESIDENT MAURSTAD: Thank you, Senator Bruning. For discussion on the bracket motion speaking order is Chambers, Brashear, and Tyson. Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, on General File there was what I deemed to be a very high level debate, it was extensive, it was detailed, it went into all aspects of the issue. But the point here is not having the death penalty or not having it. The bill was drafted in such a way that all proceedings in any capital cases will continue a pace. I believe that Senator Don Pederson had summarized what is going on here by saying the study is to determine whether a penalty is being imposed in a way that comports with JUSTICE. And it makes no sense to allow that system, which is being studied to determine if it's operating in a proper way, to continue to operate. Senator Bruning gave us the example of vehicles being driven, so I will give an example of a vehicle. If a person is driving a car and there is reason to believe that the timing belt is defective, you are told to stop the car immediately, pull off the road immediately. If your oil light goes on, stop immediately, naturally, pull off the road. So while studying this situation, the system should be put on pause. Senator Bruning's very discussions rebutted his comments about the death penalty serving as a deterrent. When he talks about somebody convicted of murder pleading for his or her life, that person obviously was not deterred, or the murder would not have been committed. Senator Bruning talked about a study that took place in 1975, then he said it was continue by the student of the original person in the eighties. First of all, you cannot prove a negative. He cannot prove how many murders were not committed because of an execution. But what can be established empirically is the fact that in the states where