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PRESIDENT MAURSTAD: One minute.

SENATOR BROWN: ...in the death penalty as punishment for the more antiseptic, I think is the term that was used, examples of unintentional murder. But I do believe that there are instances where, if we believe in the death penalty, there are instances of felony murder that also would lend themselves to that application. And so to me, it does ultimately get back to the death penalty and to the issues that we talked about last year. And though I will support the amendment because I believe that the amendment deals with one of the issues, the prospective aspect that I think is very important, I still think we're going to ultimately have to get back...

PRESIDENT MAURSTAD: Time.

SENATOR BROWN: ...to the idea of whether we support changing the death penalty. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Brown. Senator Brashear.

SENATOR BRASHEAR: Mr. President, members of the body, I know you give a great deal of attention to all that's said here and I would implore you, if you don't listen to any other thing I say on this bill, I would ask you to consider this, the point I'm going to endeavor to make very clearly this time, because we are dealing with highly charged emotional subjects. But I want to tell you that after we revised the criminal code in 1977, people tried to reduce their sentences. A convicted first degree murderer tried to argue that he was entitled to a lesser penalty, after the code was revised. And the Supreme Court of the state of Nebraska, in State v. Fuller, held that he was not entitled to a lesser penalty in the new code because the Legislature's intent was clear, the new code did not apply to crimes committed before its enactment. The language of the amendment to the amendment is the same language used in the revision of the criminal code in 1977 which was held in State v. Fuller to be effective. The second point I would implore you to consider...this has been totally lost in this discussion and probably will be again...for just a moment don't