



Ninety-Eighth Legislature - Second Session - 2004
Committee Statement
LB 526

Hearing Date: March 13, 2003

Committee On: Judiciary

Introducer(s): (Erdman, Baker, Bromm, Burling, Byars, Combs, Connealy, Cudaback, Cunningham, Engel, Friend, Hudkins, Jensen, Jones, Kremer, Louden, Mines, Mossey, Quandahl, Redfield, Schrock, Smith, Stuhr, Stuthman, Tyson, Vrtiska, at the request of the Governor)

Title: Change the mode of inflicting the death penalty

Roll Call Vote – Final Committee Action:

- X Advanced to General File
 - Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

5	Yes	Senators Brashear, Mines, Mossey, Quandahl, Tyson
3	No	Senators Chambers, Foley, Pedersen
	Present, not voting	
	Absent	

Proponents:

Senator Phil Erdman
J. Kirk Brown

Representing:

Introducer
Governor
Attorney General

Opponents:

Dr. Judith Kessel
Michael Radelet
Rev. Lauren Ekdahl

Representing:

Self
Self
Nebraska Conference Board of Christian Social
Witness – United Methodist Church
ACLU Nebraska
Nebraskans for Peace
Nebraskans for Peace
Nebraska Criminal Defense Attorneys
Association
Nebraskans Against the Death Penalty
Green Party of the United States

Tim Butz
Patricia Sullivan
Marilyn Felion
Joe Kohout

Kevin Bernadt
Robin Vodehnal

Neutral:

Steve King

Representing:

Department of Correctional Services

Summary of purpose and/or changes:

Legislative Bill 526 changes the mode of capital punishment from electrocution to lethal injection for all those who are convicted of capital crimes that occur on or after the effective date of the bill.

LB 526 provides that those who are convicted of capital crimes that occurred prior to the effective date of the bill (those who are presently on death row or those who are sentenced to death after the effective date of the bill) are entitled to choose the method by which they will be executed. Death row inmates have up to 30 days from the effective date of the bill to make a written choice between death by electrocution or by lethal injection. If the inmate does not make choice, the mode of death shall be by lethal injection.

LB 526 clarifies that the process of procuring or administering the chemicals involved in the lethal injection is not to be construed as the practice of medicine or pharmacology.

Explanation of amendments, if any:

Senator Kermit A. Brashear, Chairperson