

March 27, 1979

LB 234

to find that things are going to come back to haunt you when the judge gives his opinion on that, but that's neither here nor there in this particular discussion. Senator Kelly, let me ask you a question?

PRESIDENT: Senator Kelly, will you respond?

SENATOR KELLY: Yes, sir, Mr. President.

SENATOR CHAMBERS: Will you accept...do you accept the notion that a person who is charged with a crime should be tried by or judged by a jury of his or her peers?

SENATOR KELLY: Yes, sir, I do.

SENATOR CHAMBERS: Do you think age can go to the question of whether or not individuals are another persons peers? Do you think age can be a determining factor relative to that issue?

SENATOR KELLY: Yes, I do.

SENATOR CHAMBERS: Then you are willing to foreclose an entire category of persons who will be tried before a jury, you would foreclose them from being able to obtain a jury of their peers?

SENATOR KELLY: My answer has to be a statement...

SENATOR CHAMBERS: Sure.

SENATOR KELLY: ...is that I want no tying 234 to LB 221.

SENATOR CHAMBERS: That's not what I'm talking about. You are willing because of the drinking bill to deny people a jury of their peers, is...that's what I want to know... you're willing to do that?

SENATOR KELLY: I do not want LB 234 in any way tied with 221.

SENATOR CHAMBERS: Thank you, Senator Kelly, and if you were in court, I could say, your honor have the witness answer the question because his answer is not responsive to the question, but we're not in court. I will tell you this. I will quote...Senator Kremer, are you here?

PRESIDENT: He's not here, Senator Chambers.

SENATOR CHAMBERS: Though I speak with the tongue of men