

March 15, 1982

LB 202

person killing another inmate or guard. It would be impossible to put one in solitary confinement for the rest of their life because that would be crueler than any capital offense. Thank you.

SENATOR LAMB: Mr. Clerk.

CLERK: Mr. President, I have an amendment to the bill offered by Senators DeCamp and Beutler.

SENATOR LAMB: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, I am going to let Senator Beutler handle the opening on this amendment and I am going to attempt the closing, kind of split our time equally between us. Let me just say that Senator Beutler and I both have a record in the past of retention of the death penalty on the bills that attempt to repeal it until the last time when I, of course, worked to get a repeal and explained why I was making that change. Senator Beutler is doing that today and I would turn it over to him to make the opening statements and I will make the closing.

SENATOR LAMB: Senator Beutler.

SENATOR BEUTLER: Beware of the Ides of March, Senator Chambers. It is kind of appropriate I guess that here in the heartland of America two thousand and twenty-six years after the premeditated murder of Julius Caesar we are all sitting here today still trying to figure out what to do with Brutus and the boys. Let me tell you briefly what this amendment does. The amendment does not eliminate entirely the death penalty but it does eliminate the death penalty except in cases of premeditated murder committed while under the jurisdiction or under the control of the State of Nebraska. So it retains the death penalty with regard to those types of premeditated murders. Secondly, it does away with the thirty year term and establishes a true life term. It is in fact a true life sentence. The only escape under the law possible from this true life sentence would be a pardon from the Board of Pardons. Now as you may or may not be aware, the Board of Pardons today has the authority to pardon all criminals and all crimes except for treason and I think one or two others. So it is not expanding the authority of the Board of Pardons. The Board of Pardons, for your information, consists of the Governor, the Attorney General, and the Secretary of State, and a decision by the Board of Pardons needs a majority vote of the Board. Any two of those three can vote to pardon or commute the sentence of a criminal. So that would