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amendment again and read the part on line 13 where it says "with deliberate and premeditated malice while legally confined in or under the care, custody, or control of a jail, or correctional, or penal institution". In the first place, an Omaha police officer bringing a man to the State Penitentiary in Lincoln, he is not a jail, or a correctional institution, or a penal institution. A U. S. Marshal taking a man from Lincoln to Leavenworth Penitentiary is not a jail, or a correctional, or a penal institution. Therefore, in transporting someone who has been convicted of murder and given thirty years or the death penalty, whichever is decided, those persons would not be covered under this amendment. That is one reason why I passed on the amendment. I did not get a chance to ask a question on it before we voted on it. The second thing I would like to point out in this amendment, and I am sure the attorneys here will have an answer for it, but again it is my explanation of why I did not vote. On line 13 where it says "with deliberate and premeditated malice", it is common knowledge that in every prison across the United States, whether it is state or federal, there is an unlimited supply of drugs and inmates make alcohol every day. I know that because my husband will have 20 years this August working at the federal penitentiary in Leavenworth, and because of the rights of the inmates where they no longer open all of their mail and packages, much of this is smuggled in on a daily basis. Now I ask you, if I am doing time in a penitentiary and I get all hopped up on hashish or whatever it is they take, and while I am in that state of mind and I murder someone, be it another inmate or a correctional officer, is that deliberate? Is that with malice, if I am out of my mind at the time, and may I not argue very plainly to a jury had I not been drunk, your honor, I wouldn't have done it. Had I not been hopped up on dope, your honor, I wouldn't have done it. Therefore, there is no malice. Therefore, it wasn't deliberate. And this is why I passed on this amendment. I read it very carefully after it was handed out. I am still reading the bill. Thank you, Senators.

SENATOR LAMB: Senator Chambers on the amended version of the bill.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this is an issue on which I am showing restraint this afternoon. I feel very deeply about it and I have for years and I will continue to feel the way that I feel on this type of issue. I think some of the concerns expressed by Senator Higgins are not really practical because the cases that she mentioned have not happened,