

March 15, 1982

LB 202

SENATOR KAHLE: Well, it is certainly not legal custody when they are out running around so I think something should be done. But the other thing that bothers me a great deal, this is the fact that you are putting in the statutes the fact that you need to kill twice in order to suffer the penalty. You need to kill the first time...you are put in a prison for thirty years...

SENATOR DeCAMP: No, that is a different amendment. That is not the Beutler-DeCamp amendment.

SENATOR KAHLE: Well, that is what it says.

SENATOR DeCAMP: Oh, I see, you are saying the person has to be in prison in the first place and then, okay...excuse me. Okay, I thought you were looking at another amendment.

SENATOR KAHLE: Yes, I guess I shouldn't have used the term "thirty years", I should have used "life", but they have to kill twice in order to get the death penalty then.

SENATOR DeCAMP: Well, I don't think that is correct but let me check it out superquick.

SENATOR KAHLE: They wouldn't be in there if they hadn't killed.

SENATOR DeCAMP: No, that is not true. There is all kinds... there is a thousand people out there in prison now that didn't kill somebody.

SENATOR KAHLE: Well, are you saying that anybody that kills a police officer or a guard is going to get the chair?

SENATOR DeCAMP: Pardon?

SENATOR KAHLE: Are you saying that anybody that kills a guard is going to get the chair? The way I read it it is just those that have already been sentenced for murder for thirty years.

SENATOR DeCAMP: Okay, Senator Beutler drafted the amendment. It is my intention that anybody, anybody under the jurisdiction of the state, is that correct, Senator Beutler? If that is not clear, Senator Beutler would make whatever clarifications are necessary. So I think that was his intention and my intention and that is clearly what was intended. If it doesn't read that way, Senator Beutler is a master draftsman. I know that from the number of amendments he drafts on bills of mine.

8862