

at the late hour. If it was to be changed, you should have gotten up there early on so we would know what you are going to do and that it is not the bad guy...you see, when you are questioned by the police, a bad guy comes in acting like he is going to tear your head off, they want information from you. Then he goes out, then the nice guy comes in and tells you, "You talk to me and I will keep this beast off of you". So then you tell him what you want to know. So there ought to be consistency regardless of who sits in the Chair but apparently there is not going to be because your ruling does not bind whoever sits in the Chair after you. But this amendment that I am offering comes from Chapter 28-105 and it deals with limiting the age at which a person can be sentenced to die. And here is what it says, "Each person charged with a Class I or IA Felony who is not...", oh, that is the wrong amendment, here it is....."Notwithstanding any other provision of law, the death penalty shall not be imposed upon any person who was under the age of eighteen years at the time of the commission of the crime. The burden of proof as to age shall be upon the defendant", and I think this is germane. Others can say what they choose but all I can go by is what those who are in the position to instruct have laid down, and the reason I am offering this proposition is because it is done in a lot of states already anyway but it does not exist in Nebraska to my knowledge. I am not aware of them having taken anybody below the age of eighteen and sentencing such a person to die but I am sure that none below the age of eighteen have actually been executed. I do know that. So this is a proposition that I think ought to be in the law. That...I just heard Senator Landis give the word.

SENATOR LAMB: Senator Landis.

SENATOR LANDIS: Mr. Speaker, I would object on the basis of germaneness and would like to lay out my own perceptions if I could as to what I think our procedure should be in the course of the last six days. I think that Senator Chambers brings to us a fair policy question, one that perhaps we have gotten ourselves into over the course of the last several weeks, and that is using simply the Chapter number as the only determining factor in the germaneness of an issue. I think with consummate skill he has pointed out to us that in fact that mechanism applied by itself is not satisfactory in determining the germaneness of a question. Germaneness has to do with the furthering the intent of what is in that bill and relating to it, not on some remote artificial connection such as its numbering or its ordering in the statute books but because of the subject matter. It is my understanding that in the past