

April 7, 1982

LB 787

SENATOR KILGARIN: Just very quickly, we've worked, the Judiciary Committee under the direction of Senator Nichol has worked very, very long and hard on the juvenile code. I think we have an excellent bill. These amendments, I think, are essential and I would urge you to support them and thank you.

SENATOR LAMB: The motion is the Kilgarin amendment. Those in support vote yes, those opposed vote no.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Record.

CLERK: 30 ayes, 0 nays, Mr. President, on adoption of Senator Kilgarin's amendment.

SENATOR LAMB: The amendment is adopted.

CLERK: Mr. President, Senator Schmit had an amendment on page 1508. I understand he wishes to withdraw that. Mr. President, the next amendment I have is offered by Senator Chambers.

SENATOR LAMB: Senator Chambers, on your amendment.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this is an amendment that would put into the juvenile law in Nebraska a provision that exists in the law in many states in the Union. It simply says that, "Notwithstanding any other provision of law, the death penalty cannot be imposed upon any person who was under the age of eighteen at the time of the commission of the crime." It is not an attempt to abolish the death penalty. It does not really directly impact on the death penalty. To my knowledge, as I told you the other evening, I'm not aware of anybody who is below the age of eighteen being sentenced to death in Nebraska and I certainly know none that young that have been executed. But since provisions are being put into the juvenile code and it is somewhat of a comprehensive approach, I'm asking that this provision be put in. I mentioned it to Senator Nichol and a few others who have been involved and interested in the criminal code and especially the juvenile code to let you know that it is not a jesting amendment, it is not an attempt to filibuster or harass this bill to use the term that some people find a favorite term and I am asking that you adopt it.

SENATOR LAMB: Senator Kilgarin.

SENATOR KILGARIN: I would just rise to support Senator Chambers' amendment. I don't think I've ever spoken on the