

April 7, 1982

LB 787

SENATOR CHAMBERS: Mr. Chairman, I meant what I said when I opened as to the intention of this amendment. It does not impact on the existence or nonexistence of the death penalty. I'm not even arguing the death penalty as such. Everything that I could say on the proposition I said during my opening. I don't know what point Senator Hefner is trying to make but his comments don't relate at all to what I am saying and I will add this and then I am through. There are states which would carry out the death penalty with a vengeance and, in fact, when California had a mandatory death law before it was struck down they had a provision exactly like this to protect the very young and I think it is a worthwhile proposition and ought to be adopted. I hope that you will support it.

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

CLERK: Senator Lamb voting no.

SENATOR LAMB: Have you all voted? Record. Senator Koch, for what purpose do you arise?

SENATOR KOCH: Mr. Chairman, I want a record vote.

CLERK: (Read record vote as found on page 1788 of the Legislative Journal.) 27 ayes, 15 nays, Mr. President, on adoption of the amendment.

SENATOR LAMB: The amendment is adopted.

CLERK: Mr. President, Senator Nichol would move to amend the bill by adding the severability clause.

SENATOR LAMB: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I think what we just have done is to create a problem with the equal protection problem and if you have it eighteen, why can't you have it twenty, and it could be that you've just repealed the death penalty, I don't know. But at any rate, whether that is true or not I think we should have the severability clause in case that is true so that the rest of the bill is not in jeopardy so I would ask for the severability clause.

SENATOR LAMB: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I'll support what Senator Nichol is saying as far as adding the severability clause but I'll tell you this. If I were going to seek to abolish