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understanding that there is no one scheduled for execution at the present time in the state of Nebraska.

SENATOR HILGERT: And we have...since we have had...well, since we've used the death penalty so rarely in the state of Nebraska, is it not conceivable that perhaps there might not be anyone scheduled for the next three years? Is that not a possibility due to appeals and so forth?

SENATOR BRASHEAR: I really can't answer that, Senator Hilgert. Certainly anything is a possibility, and the court has made it clear it will only schedule dates of execution in relationship to the status of cases, not simply to keep the pressure on, so to speak.

SENATOR HILGERT: Could you talk a little bit as far as how would appeals be handled in the interim? If someone is...commits a crime, they're tried, they're convicted, they're sentenced to death, could...would all the appeals and so forth still be continued during this moratorium, or would there be a moratorium of the appeals and court proceedings leading up to the actual execution?

SENATOR BRASHEAR: Senator Hilgert, the design of the committee amendment is that there is...there is no disruption of anything in the process, except the scheduling of a date of execution. No dates of execution are to be set. That's the only change. In all other respects, it goes forward and dates of execution following the expiration of the moratorium can also take place during the moratorium.

SENATOR HILGERT: Thank you, Mr. Chairman, Senator Brashear. And I knew the answers to those but I wanted to get them on the record once again. We are not abolishing the death penalty in the state of Nebraska should this body agree to this three-year moratorium. What harm, what harm is there in studying the facts regarding the case, the mitigating or aggravating circumstances? What harm is there looking at race, gender, religion, economic status, which is something that I'm very concerned with? I don't represent a district that...that is known as the richest district in the state. We all know too well in the last few years in this country on how much money, when...when money is