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LB 76

reaffirm and make those people who support it feel better about their decision, and I could fall into that group. If, on the other hand, it reflects problems, unfairness, other considerations that we hope not to find, then we will have done the right thing by doing the study. And, if we don't do the moratorium with the study, and the study shows that it hasn't been applied necessarily in the proper way according to those standards we would all, I'm sure, support, then we will have done a grave injustice if one person has been executed during that two-year period of time. Now I think it's unlikely that anyone would be executed anyway, based on the status of the cases that are pending. But that was the rest of my thought. Thank you very much, Senator Hilgert.

PRESIDENT MAURSTAD: Senator Hilgert, three minutes left.

SENATOR HILGERT: Thank you, Mr. President. I heard a hypothetical which somewhat, politely I'll say, confused me. Hypothetical was given by Senator Chambers that, if the study finds that the death penalty is administered unjustly in the state of Nebraska, do you think these individuals could use this for an appeal? I would hope that any senator, more so any attorney that is a member of our bar that would be confronted with a study that would determine that the death penalty is administered unjustly in this state, they themselves, they themselves would want to address that problem. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Hilgert. Senator Brashear, on the motion to bracket LB 76.

SENATOR BRASHEAR: Thank you, Mr. President, colleagues. In this segment, let me deal with two things. First of all, this is not a repeal, this is not reform, and this is not the maintenance of the status quo. This is a moratorium for two years with regard to executing anyone, not setting a date, not with regard to any other litigation involving capital cases, it's a moratorium as to execution only. And it's a period for study to answer the questions that are contained within our statute with regard to application. And I have several times, since General File, been asked what would happen to the ten people who are presently sentenced to die. And you may be surprised that nothing will happen to them during the two year