

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

May 27, 1999

LB 76A, 76

issue because I have lost that one. I believe in living in the world of reality. Politics is the art of the possible. It is possible still for this Legislature to authorize and fund that study. It will not be a matter of reviewing individual cases of people on death row. There will be a panoramic consideration of all of the homicides that have occurred, the criminal homicides, since the death penalty was reinstated for the purpose of determining how the system, as a system, functions. Knowledge is power. The truth is something from which none of us should flee. All this study is designed to do is to present, in a comprehensive, coherent manner, the truth to the extent that that can be arrived at through a study of the cases about how this punishment, this penalty actually impacts individuals and society. I'm not even going to argue disparity between cases of which I am keenly aware. Tailgating on what Senator Brashear said, I do appreciate the votes that were cast for this bill. I was not even going to offer a motion to override LB 76, the underlying bill, and then withdraw it. For my part, those of you who were able to stay with this bill through three stages of debate is as much as I could ask of anybody and, to be completely honest at this point, more than I expected from most. This bill was constantly misrepresented, mischaracterized as a bill to abolish the death penalty, so those of you all who faced a lot of political flak and criticism were criticized as though you were voting to abolish the death penalty, but you stayed with your vote and this was the first Legislature in the country to enact a moratorium bill. That cannot be changed. That cannot be taken away. This motion is to override the A bill. We will make a legislative record of the fact that the money in that bill is to go for the study contained in LB 76, which was vetoed by the Governor. Having discussed in detail what that study was aimed to do, I will not take time to even go through that. But I think it was quite remarkable that, in a state like Nebraska, the numbers of you who voted for that bill in the way that you did could actually take place, and I am appreciative of that. When we are battling, that's not a time for me to speak as I am now. The battle is over. I have lost. But that does not mean I cannot acknowledge the value in what this Legislature has done. Even though I had colleagues who voted against the bill and against the A bill, the fact that a majority enacted that bill into law makes it an act of the Legislature. Whatever good is associated with that redounds to the benefit and credit