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murder doctrine, you could receive the death penalty if a three-judge panel feels that you could. But I think that it would actually reduce the number of people going on death row, as the bill is written, not as amended, because I think it encourages people to plea bargain and realize that they're facing the death, that they might be better off with a second degree conviction which is life in prison. On Friday, Senator Chambers and Senator Brashear, they offered several examples of felony murder and they're right on with their examples, but I still don't see in their examples a justification...

PRESIDENT MAURSTAD: One minute.

SENATOR BOURNE: ...to getting rid of this. Senator Chambers talked about an arson example where somebody lit the carpet on fire and the person ran out and tripped over a telephone cord. The person who lit the fire is guilty of felony murder or could be charged with it. And while that's true, that has never happened here in the state of Nebraska. And even if it did, that person wouldn't get the death penalty because the way the death penalty works here is that we are a balancing state where we weigh the aggravating and mitigating factors. There's no way that a person would get the death penalty in that situation. I need to read the amendment a little bit more and the Reeves case that Senator Chambers has cited this morning, but that's a little of my concerns with the bill as it was originally advanced.

PRESIDENT MAURSTAD: Time. Thank you, Senator Bourne. Senator Chambers, on the Brashear amendment to AM2074.

SENATOR CHAMBERS: Mr. President and members of the Legislature, in order that we can deal with this issue, there are three bites to this apple. The first would be the bill as originally introduced which I am no longer pushing for and Senator Brashear's amendments will change. Senator Brashear offered an amendment Friday which he is amending today. Those two amendments constitute bites two and three of the apple. The particular amendment that we're on now, and I hope we can adopt these amendments, would ensure that there is no retroactive application of this bill. It will not affect anything that happened prior to the passage of this bill. Senator Bourne