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Pardons that can pardon anyone. So you can put it in a statute like this, it isn't going to work. The law...and it isn't just statute that we can change. It's actually our constitution, says the Board of Pardons can pardon anyone.

SENATOR CUDABACK PRESIDING

SENATOR CUDABACK: One minute.

SENATOR MATZKE: So there is no possibility of an effective provision in our law at this time for life without parole. So I think both arguments in both of these instances are based upon a fallacy. I oppose both the amendment and later on I will more strongly oppose the bill.

SENATOR CUDABACK: Thank you, Senator Matzke. (Visitors introduced.) Thank you for coming. Those wishing to speak on the amendment to AM2074 to LB 509 are Senators Bruning, Engel, Chambers, Bourne, Brashear. Senator Bruning.

SENATOR BRUNING: Mr. President and members of the Legislature, I, too, rise in opposition to the amendment to the amendment, and I think Senator Matzke was extremely clear when he described the chief reason to oppose this amendment. You cannot ensure that the six men on death row will stay on death row if you pass this amendment. We can say that there's a Supreme Court case, and I've read Reeves. We can say that case will apply here. And perhaps it will but perhaps it won't. You've got six men on death row, they're going to file six appeals, with varying degrees of skill of their attorneys that file the appeals for them. They may or may not receive the penalty that's already been meted out by a court of law by the state of Nebraska. They may or may not, you cannot ensure. The constitution says the laws have to treat each one of us fairly, and if I'm a person on death row, the first thing I'm going to say after we pass this amendment is, how is that fair to me when someone who commits the identical crime tomorrow won't get the death penalty. The courts are going to look at that and they're going to say that's not fair. That's not equal application of the laws to everyone. So this amendment, in principle, maybe is a good idea. In practice, is it going to work? No, it will not work. Life without parole, let's think about that concept for a minute. If