

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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you will adopt this amendment.

SENATOR CUDABACK: Thank you, Senator Chambers. Senator Brashear, on your amendment.

SENATOR BRASHEAR: Mr. President, members of the body, it's a difficult, emotional and emotion-charged subject matter. That's particularly so when we are urged, as we often are with regard to this particular things, but I'm going to try and be somewhat objective and logical. I understand some people want to prove their credentials or their pedigree or whatever you call it. But I do not know why anybody would vote against this amendment, and I'm serious. This amendment eliminates the provision of LB 509 that would repeal felony murder. So it improves the bill. It also would expand felony murder. It would add three new felonies to the six that are there: sexual assault of a child, felony child abuse, first degree false imprisonment. And it would insert into our Criminal Code life imprisonment without the possibility of parole, which is not now there. I respectfully suggest this is a law and order vote. This amendment is favorable. And irrespective of your final vote on LB 509, the amendment deserves support. I urge your support, because substantively it's the right thing to do. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. Senator Bourne, on AM2074 to LB 509. Senator Bourne.

SENATOR BOURNE: Thank you, Mr. President. I happen to agree with Senator Brashear, and that's why I did support the initial amendment. I thought it was very important that we indicate that this new law, LB 509 as amended, if it goes through, is not applied retroactively. I think it's extremely important we do that, that's why I voted for it. I'm not certain that I'm going to vote on this amendment. I know for certain I won't vote on the bill. I think, to Senator Brashear's credit again, I hate...it sounds like I'm giving him too much credit here, I don't want to do that. But I think that the amendment, or the bill...LB 509, I think, would be an absolute travesty if that was advanced. I do think that Brashear's amendment, Senator Brashear's amendment makes it better. But my concern is that six of the nine people on death row are there because of felony murder convictions. And I think part of the reason that is, is