

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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March 11, 1997      LB 422

SENATOR CROSBY:      Thank you, Mr. Clerk. Before we begin the agenda, from Senator Warner's district this morning, our Doctor of the Day is Dr. Greig Glover of Lincoln. Doctor, would you please stand so we may see where you are. Under the north balcony. Mr. Clerk, I understand we have a motion.

CLERK:      (LB) 422 is pending before the Legislature. I have a motion from Senator Chambers, pursuant to Rule 6, Section (3)(f), to indefinitely postpone the bill.

SENATOR CROSBY:      Senator Chambers to open on your motion.

SENATOR CHAMBERS:      Madam President, members of the Legislature. This rule provides that if a motion is made to indefinitely postpone before the bill is read, it would take a majority vote of the entire Legislature to adopt the motion. If the motion were made after the bill was read, then it would be a majority of those voting. So, by making the motion at this time, I'm going to have to persuade a greater number of senators to vote with me, and I hope that I can do that. I even hope that the introducers will agree with me by the time we get through with this motion. What the bill would do as written is to add a new aggravating circumstance to the death penalty law. That circumstance would make it an aggravating factor if a law enforcement officer is killed while...let me get the language so I won't misstate it because I want to ask the introducer, Senator Matzke, a question. But I want to read the language of the amendment. It would be...of the new language in the bill, starting at the bottom of page 2, line 28 "The victim was a law enforcement officer engaged in the performance of his or her official duties and the offender knew or reasonably should have known that the victim was a law enforcement officer." I'd like to ask Senator Matzke a question or two about this language, if I may.

SENATOR CROSBY:      Senator Matzke, will you yield for a question?

SENATOR MATZKE:      Yes, I will.

SENATOR CHAMBERS:      By way of introduction, Senator Matzke, there was a case that came down a few months ago, and it dealt with an