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take someone who has a 6- or 7- or 8-year-old's mind, if you will, even though they're in the body of an older person, I think shocks the consciences of most Nebraskans. I would encourage the body to adopt the committee amendments. I would encourage the body to advance this bill. I think this is something that is shared by most Nebraskans. Nebraskans have a good sense of justice. I don't think when they think of the death penalty I don't think they think of the mentally retarded, just as they don't think of juveniles. One last point I would like to make, let there be no doubt of what we're talking about. We are not talking about insanity. We're not talking about the popularization of, well, people are getting off on the insanity defense. This is not what we're talking about. We're talking about mental retardation which is a specific, quantifiable, everlasting condition. You don't drift in and out of mental retardation as you do with insanity. That is not what we're talking about. So don't be concerned that this bill somehow is designed to even go there. It doesn't even go there. The only thing this bill does is say those mentally retarded people in the state of Nebraska will not be put to death by the state. We are not going to strap someone with a 6- or 7- or 8-year-old's mind into an electric chair. And that's also not to say that this happens in Nebraska. It could, though. We don't want it to happen, and we want to be proud to say we're going to go on record to make sure that this doesn't happen. This is all the bill does. And with that, I would end the closing or the opening.

PRESIDENT ROBAK: Thank you, Senator Hilgert. Chair recognizes, we now turn to the committee amendments and the Chair recognizes Senator Brashear to open on the committee amendments. (See AM3728 on page 1035 of the Legislative Journal.)

SENATOR BRASHEAR: Thank you, Madam President, members of the body. Senators Wesely and Hilgert have spoken to the reasons for and explained the impact of the adoption. On behalf of your Judiciary Committee, I'd like to explain procedurally why we have amended the bill. Basically, we have added to the right which would have been created by the green copy a remedy. We have established the procedure by which the accused who suffers from or has mental retardation will be able to establish that that is the fact. Highlights would be that, for those who have