

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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January 24, 2000 LB 283, 338, 509, 743, 823, 831, 900, 901  
1157

CLERK: Mr. President, thank you. Hearing notices from the General Affairs Committee and the Education Committee, signed by the respective chairs. Retirement Systems reports LB 743 to General File with amendments, and LB 831 indefinitely postponed. Natural Resources reports LB 900 to General File with amendments, and LB 901 to General File with amendments; LB 283, LB 338, and LB 823 are reported indefinitely postponed. Government Committee reports LB 1157 to General File with amendments; those reports all signed by the respective committee chairpersons. And finally, Mr. President, a confirmation hearing report from the Natural Resources Committee. That's all that I have. (Legislative Journal pages 390-398.)

SENATOR CUDABACK: Thank you, Mr. Clerk. We are now discussing AM2074, Brashear amendment, to LB 509. On the discussion, Senator Chambers, you're recognized to speak.

SENATOR CHAMBERS: Mr...this is a matter of clarification. The part we're on now relates to the stripping of the green copy as it was introduced. The amendment we adopted is attached to that amendment. So what we're looking at now would be changing the bill that I originally introduced so that it does not abolish felony murder. Felony murder would continue to be first degree murder. There would be a new punishment placed in the statute where we give a listing of the punishments, and that would be life without possibility of parole. That would be the maximum sentence that a person convicted of felony murder could receive. At this point let me try to make something clear, if I can. The only reason a prosecutor seeks a felony murder conviction is because the intent to kill cannot be proved. Now I know there are some people who believe that, whether you intended to do an act or not, you ought to be held completely responsible for that act and the outcome. But they don't believe that way if it comes to motor vehicular homicide. They don't believe that should be changed to murder, that a person driving under the influence should be charged with murder because when he or she got behind the wheel under the influence there was a clear possibility that a death could result, so you should be held responsible for any act that might result from what you do. But we won't do that because too many people drive under those circumstances. But when it comes to something that has been around all of these years and has been inappropriate all of