

represent the contents of a parenthetical statement as when you're trying to write a mathematical formula. Both of them must be considered as a unit. You now are requiring this person to make some kind of a choice, a Hobson's choice, which did not exist at the time that person was sentenced to die. And if a person is not electrocuted, the sentence that was imposed by the court is not carried out, but the argument could be made that if the Legislature has said that a different methodology is less gruesome and, therefore, available then that person could argue I should have the opportunity to choose it. So one could argue that I insist, if I'm executed, in having it carried out in the way that was ordered by the court, but I object to somebody else being given a different method when they were sentenced under the same law that I was, under the same circumstances and when the same punishment was in existence. I am glad that Senator Pirsch raised the point. In mythology there were two creatures, Scylla and Charybdis. On the coast of Italy there's a large stone that sometimes ships go by and in the old days it was characterized, as usual, as a woman and it...people would run against that stone and be crushed. Well, there was another obstacle that made it dangerous to travel between the two; so if you were between Scylla and Charybdis, whichever way you went, if one didn't get you then the other one would, and the Hobson's choice is where you have a dilemma. You have two choices, neither of which is acceptable, but you're required to make one. Now if the inmate who is to be...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ..executed says, I will not make a choice, show me under the law by which that person was sentenced where the Department of Corrections Director or anybody else is allowed to choose the method of execution of this individual. It's not there. One reason I said all of the things I did and deviated from the bill is because I did want to talk about the death penalty and against it because I think it's legitimate, but I was not going to raise these other issues and it's not my obligation to raise them because if there are new avenues of appeal I want them out there. But since Senator Pirsch touched on it, you need to have it discussed and you need to have it presented to you.

PRESIDENT ROBAK: Thank you, Senator Chambers. The Chair recognizes Senator Chambers.