

SENATOR SCHMIT: Mr. President and members, I'm sort of interested in what Senator Chambers is doing. I have supported the bill. But I have some reservations about the bill. I have, over the years, had pretty good rapport with the court system. But I would like to let Senator Chambers use my time, if he needs it, to further explain his reasons why he wants this amendment. I think he makes some good points, and I think he makes an excellent point when he states that most of us aren't really paying attention to this bill. First of all, we ought to look at the fiscal note of the bill, almost \$2 million. And, of course, as any good agency it will grow substantially over time; and for those of you who are younger, you will see a time when that's a \$10 million expense, I'm sure. I think it's important that we recognize the finality of what we are doing here, and the doors which we are closing to certain individuals by the passage of this piece of legislation. Senator Chambers, if you need my time, you can use it to explain your amendment further.

SENATOR CHAMBERS: Thank you, Senator Schmit, and I will use some of the time. And, Senator Kristensen, my light is on, too, so we'll have a point where we can continue. Members of the Legislature, the method by which people are sentenced can sometimes be difficult to understand. But remember this, if you have a minimum of 5 years, and a maximum of 50 years, to take the example that Senator Kristensen said, you have brackets between which a sentence must be imposed. If, in the case of the IB felony, where the minimum is 10 years and the maximum is life, you can give a sentence of 990 years. You can give a sentence of 10,000 years, you can give a sentence which is longer, in effect, than just a life sentence, if you say that the sentence is life. The term of years can be any amount. So don't think of life at the top as the only sentence available under a IB felony. That's why I say, because the possibility of a life sentence is there, this could offer a harsher sentence, through a term of years, than just saying life. If you have to serve a certain percentage of a sentence before you're eligible for parole, you may have to serve a longer number of years to be eligible for parole under a term of years than under a flat life sentence. Senator Kristensen has acknowledged that there would not be a tremendous number of cases going to the Supreme Court under my amendment. I don't think that any structure, any system is so important to be maintained intact, as first presented, that we ignore all considerations of equity and decency. Let's say that a person were given a sentence of 100 to 500 years, and don't think that's impossible, because there