

and shooting the one-time now unconscious assailant is itself murder.

PRESIDENT MOUL: One minute.

SENATOR LANDIS: You stopped being self-defense and that's murder. When the state has a murderer in incarceration, locked up in a cell, opens the door, drags him down the hall and puts him in a chair and electrocutes himself, they're not acting in self-defense. That moment for intervention for self-defense is over and at that point they've crossed the line to the intentional taking of a life. If that can't be done rationally, it shouldn't be done. And I support the motion.

PRESIDENT MOUL: Thank you, Senator Landis. Senator Lindsay.

SENATOR LINDSAY: Thank you, Madam President, members, I rise in support of the motion. I think I probably ought to set forth my rationale and it...to an extent, it echoes what Senator Crosby and then Senator Dierks mentioned. Earlier this year and for an extensive amount of time last year, we had debate on an issue dealing with abortion and, at that time, I consistently took a pro-life standpoint. For me to not take a pro-life standpoint in this situation, I think, is inconsistent. We have...my position has always been that life is sacred. Humans don't have the right to take that life regardless of the fact situation. This...and I'm not trying to...I heard Senator Schimek back of me, I'm not trying to tie abortion here and I apologize if that was the issue and that's not the case. I'm just simply pointing out that humans are fallible. Senator Dierks, I think, mentioned how many executions have taken place on innocent people. Those facts are indisputable. Innocent people are convicted of crimes. Innocent people do die in the electric chair or in the gas chamber or on the "syri" with the lethal injection. We can't always be sure that that's what's occurring even if we agree with the capital punishment that we're just taking care of those who are guilty. Second, I think there's been a large amount of concern over what our constituencies will think about this. I would ask people to listen...Senator Schimek, I think, is going to be speaking a little bit about a poll that was done a couple years ago that shows that if we think our constituents are 100 percent or 80 percent or 90 percent in favor of capital punishment, I don't think that's the case. When given a full range of alternatives, people are going to choose otherwise. They're going to choose those