

April 6, 1995

LB 189, 209, 251, 317, 358, 438, 438A, 488
527, 646, 693

print amendments to LB 189; Senator Warner, to LB 693. I have a proposed rules change by Senator Wickersham that will be referred to the Rules Committee for their consideration. Enrollment and Review reports LB 438, LB 438A, LB 251, LB 488, LB 527 to Select File. Natural Resources reports LB 209 to General File with amendments and LB 317 and LB 358 indefinitely postponed. (See pages 1524-28 of the Legislative Journal.)

SPEAKER WITHEM: Thank you. Would also now like to recognize and welcome Senator Bromm to the microphone.

SENATOR BROMM: No applause, please. Thank you, Mr. Speaker. I didn't even see anybody offering to applaud. Thank you anyway. Mr. Speaker and colleagues, I...we are getting a bit adrift, I think, from the intent of this bill. And it's fine to talk about these things but I find the arguments being set forth right now, at least, by my colleague, Senator Chambers, as being somewhat circular in nature. And, on the one hand, I think Senator Chambers would argue that we don't have justice because we don't have prosecutors outstate who are willing to file as serious charges as they might in a more populous county where they have a public defender officer all set up because they're afraid of the cost so they're not filing those charges in an even-handed manner around the 93 counties. On the other hand, where we have a bill here which intends...this bill isn't just to...isn't just to help defray the unforeseen costs of the capital case but it should have a positive impact on the quality of defense representation where we have a chance to also help in that aspect. Then...then he seems to be against the bill because...because then the prosecutors out there will be more inclined to file the appropriate charge where you have a serious case because they know that the county isn't going to be able...isn't going to have to pick up all the cost. So what, you know, what is...what is justice here? And I guess he will probably respond, but, I mean, is justice having even-handed opportunities and the inclination to file the same charge whether you're in Gosper County or Douglas County? Or is it let's let the system wallow as it is and the perception that they won't file the murder one charge in Gosper County? If that's true, and I don't know that it is, but if it's true, let it be that way. You know, I don't...and his motivation for that is because he doesn't like the death penalty. Well, that isn't justice and that isn't...that's a very circular argument and I think we're completely off the track of this bill. This bill is for us to make a policy decision as to whether or not we're