

I suppose, yes, I think that's correct.

SENATOR CHAMBERS: Are all public defenders where they exist elected?

SENATOR KRISTENSEN: No.

SENATOR CHAMBERS: Well, in Douglas County where the public defender is elected, wouldn't we be giving an appointed person authority over a public official?

SENATOR KRISTENSEN: I would hope not.

SENATOR CHAMBERS: So then this would not apply where we had a public official.

SENATOR KRISTENSEN: I just don't think that they...I don't think that you can give that...without giving the commission those express powers, I don't think you can tread on the authority of that public defender.

SENATOR CHAMBERS: Well, I know that you can't but I was just saying...

SENATOR KRISTENSEN: And that's...

SENATOR CHAMBERS: ...this language...

SENATOR KRISTENSEN: I do not believe that that's what that does.

SENATOR CHAMBERS: Okay.

SENATOR KRISTENSEN: You know, one of the things...well, go ahead and ask the question.

SENATOR CHAMBERS: That's good...that's good enough. And with the way this bill is drafted, I think there is going to have to be some work done on it like we've done on LB 425 and others where we try to get language that says what is intended. But what I would like to do with this bill is to use it to force the Legislature to see that whether you agree with the death penalty or, frankly, disagree with it, as I do, and acknowledge it, there are people, by the way, who will vote in favor of the death penalty on this floor who don't agree with the penalty