

small issue, and because Richardson County somehow became the focal point of this whole process in getting this bill onto the floor, at least as a part of it, we begin now talking about whether if you are big, you should survive, and if you are small, you ought to disappear. I am not going to enter into the debate on the small versus the large, or whether some counties are too inefficient and too small to exist because I don't think that is a part of this bill and needs to be discussed, and so I am not going to go into that. But one of the things that I do want to talk about just a little bit and that is about equity between the prosecution and the defense, and I agree with Senator Warner and those who've spoken about certainly that we need a leveler playing field. We have many attorneys in these small communities who do not have the expertise in the area of capital crimes, where they are able to provide the best and most adequate defense and as a result, we end up with rehearings and rehearings, and the cost goes on and on, and this seems to be one way to bring in the expertise so that some of those things can be avoided. I recognize that the focal point, as I said before, started in Richardson County because of the difficulty they had down there, but you have to recognize that can happen any place in Nebraska. It just happened to be that it happened in my particular area, and I was interested in the issue because of the constituents that I serve, but that certainly is not an issue that needs to be carried on any further here. The issue that we need to talk about is what's fair and what's just and what's equitable. I think that the way Senator Kristensen has made the changes and amendments in the bill, that it has improved it to the point where we will, in fact, have an opportunity to provide the kind of services in defense that are necessary to have a fair and equitable and...a fair trial process for both sides of the issue. So I guess I just want to, again, say that I have to oppose the Beutler amendment because I think it destroys part of the intent of the bill in the way it was designed...for what it was designed to do. Thank you.

SPEAKER WITHEM: Senator Beutler, followed by Senator Lynch.

SENATOR BEUTLER: Senator Withem, members of the Legislature, I really think we have to come face to face with some very critical issues here, and the first question you have to ask yourself is why is the state getting involved in this. Now, to the extent that any particular county is significantly under its constitutional cap, it has the power to make adjustments to finance these sorts of costs. And to the extent that this is