

County right now. So I just wanted you to have an opportunity to consider this and I don't want to take up a lot of time but I do want to offer it. Thank you.

SPEAKER WITHEM: On the Witek amendment...the Witek motion to return for a specific amendment, Senator Kristensen, followed by Senators Pedersen and Crosby.

SENATOR KRISTENSEN: Thank you, Mr. President, and members of the Legislature, and, Senator Witek, I...I don't have any frustration with your amendment because it's certainly one that you had filed earlier and, quite frankly, your amendment is better than the last ones I have been dealing with, so I'll...it's kind of a pleasure to deal with it. But be that as it may, I would rise to tell the body that if we were going to set up a disaster fund, this is probably how I would do it, but let me tell you why I would not support this, for two very simple reasons. One is that I will get more bang for the dollar by doing it with a group of people whose full-time job it will be and who will be paid on a salary rather than on a case by case basis who will be paid by the hour, because it will be...one or two cases could easily eat up the whole fund here if you're going to do it on a case by case basis and you're going to pay those attorneys by the hour. If you have them on staff or salary, they receive no more money, we can hire more people, quite frankly, they're going to earn less, and, yes, in certain cases you're probably going to take away the work from...from some people but, quite frankly, they don't...it's the type of work that they wouldn't mind having taken away from them, quite frankly. Defending somebody on a capital murder case is a very scary experience. It's scary because if you win, the community hates you. If you lose, you get sued. It's not a real good choice in there. The other reason is that you will probably lose some of the expertise. The nice part about having a group or a panel, of course, is that that's all they will do. They will develop that expertise. They will be less likely to make mistakes and, in the long run, have less appeals, so why do...and, quite frankly, Senator Witek, instead of attacking the bill and just trying to defeat it, I think was attempting to be constructive. I think the better public policy is to try to keep the quality up. You will have less appeals by less mistakes and will save more money and be able to serve more people by this approach. The bureaucracy, I suppose it's small in nature, quite frankly, but when you're talking about the hassles of going through and finding court appointed counsel