

February 23, 1996 LB 964, 1147, 1248  
LR 277, 281, 295, 308, 309

Senator Vrtiska's amendment to the committee amendments.

SENATOR BERNARD-STEVENS: The amendment is agreed to. The call is raised. Items for the record, Mr. Clerk.

CLERK: Mr. President, thank you. Senator Bernard-Stevens and Senator Kristensen have amendments to LB 964. Government reports LB 1147, LR 277, LR 281, LR 295, LR 308, and LR 309 as indefinitely postponed. Those signed by Senator Robinson. (See page 902 of the Legislative Journal.)

Mr. President, the next amendment I have to the committee amendments is by Senator Chambers. (Chambers amendment, FA457, appears on page 903 of the Legislative Journal.)

SENATOR BERNARD-STEVENS: Senator Chambers, you're recognized on your amendment.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I'm now having a copy of my amendment passed out. And while it's coming to you, I'm going to read what it says. And I would ask Senator Hilgert to listen up and put on his thinking cap. On page 1 of the committee amendment, which would really be page 869 of the Journal, we're dealing, I am anyway, from the Journal, because that is the (inaudible) material which now is the bill. So, on page 829 of the Journal, which would be page 1 of the committee amendment as it now read...stands, if you look at the first line 23, I'm going to add a new subsection (c), which says the following: "No costs or expenses growing out of or associated with the prosecution of any capital case shall be deemed abnormal expenses of government." There...I'm going to tell you why I'm doing this. In addition to my opposition to the death penalty, I'm looking at the way this bill is structured and the rationale for bringing it to us, the costs associated with prosecuting a death penalty case. If you look, starting in line 12 with "catastrophic financial emergency", where we have things defined and explained, you will see the first subdivision that these expenses are caused by "abnormal expenses of government". There is no definition of "abnormal". It is one of those terms that is elastic. If the weather is hot, it expands. If the weather is cold, it contracts. What I'm saying is if there is political advantage to be gained by approving a claim, the term "abnormal" will expand to include that. If there is no political thrust or those seeking it have