

February 23, 1996 LB 1248

And I guess in any case I would think that these people are entitled to the best defense they can get when they're charged with these type of crimes. And I'm certainly in "agreement" with that statement.

SENATOR CHAMBERS: Right. And the term "prosecution", if I had said "associated with the costs sustained by the prosecutors office", but the term "prosecution of a case" means all aspects of the case,...

SENATOR VRTISKA: All right.

SENATOR CHAMBERS: ...all aspects of it, otherwise, you'd have to say the prosecution, the jury trial, the defense and, you know, witnesses and mention every discrete part of the carrying forth of the matter.

SENATOR VRTISKA: I'm sorry I misunderstood what your...

SENATOR CHAMBERS: No, I'm glad you asked, because others may have had the same question but not enough interest to ask it. I intend to fight this bill and I intend to do everything I can to prevent the state from being put in a position to pick up the costs of these capital prosecutions. I will fight every instance, every motion, every bill, every resolution designed to encourage the infliction of death on anybody by this state. Anything done by the Legislature to facilitate the infliction of death I'm going to fight it. And this bill represents one of the most naked, blatant attempts to shift to the state the cost of prosecuting capital cases, that's what this bill is designed to do, the introducer has forthrightly acknowledged it. No other member wants to discuss or deal with that aspect, other than myself. Now if it's something which is so unimportant and the disaster end of it is what really is driving this bill, there should be no objection to my amendment. My amendment states a truism.

SENATOR BERNARD-STEVENS: One minute.

SENATOR CHAMBERS: And because it states a truism, if any claim is made by Richardson County and it gets to this floor, because it's accepted by the Risk Manager, I will raise the constitutional question as to whether the costs associated with the ordinary and normal activities of the county can be said to