

you're recognized to close on your amendment.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I want the record to be crystal clear, and I want it to be clear to those who may be watching our activities this morning that this is a serious issue that I'm addressing. It deals with the cost of seeking to carry out a death sentence in this state. Senators are unwilling to come face-to-face with this expense and see it as a basis for doing away with an ineffective punishment or penalty. We now have a county coming to us saying, we are in trouble because of the cost of carrying out a death penalty prosecution, and we want the state to pay for it. That's what's being asked. But even if you don't adopt this amendment, I don't believe that it can be argued successfully before a court that the cost of prosecuting a case involving the death penalty is an abnormal expense of government. First of all, seeking the death penalty while, as Senator Hilgert correctly pointed out, is not common, it is not abnormal. The fact that it costs more to carry out a death penalty prosecution than a nondeath penalty prosecution, the fact that the cost is greater in that instance is not unknown and it is not abnormal because the very steps and processes involved cost money. So when that which can be predicted, that which always accompanies an event cannot be considered abnormal, it is of the warp and woof of that particular thing we're talking about, and in this case it's a death penalty prosecution. The number of appeals is not abnormal. Even old Satan told God, when they were playing games with Job's soul, yeah, skin for skin, all that a man hath will he give for his life. So if a person is battling to save his or her life, it is preposterous to say that in order to be convenient for the state he or she will forego appeals, not only is it preposterous, it is ridiculous. So the costs associated with that prosecution in the Ryan case were foretold by me and others, even before the Ryan case came into being. It just costs more. There are other states that have refused to reinstate the death penalty because of the cost. There are studies, and studies, and studies which verify the cost to such an extent that those who favor the death penalty now say, cost is not a factor, the retribution is what is sought. But cost has been made a factor in this state by virtue of this bill. And what I want to do is allow all this other mess that the bill will allow the counties to come in here for and make the state pay for. I want to eliminate from that oleo mix the costs associated with, or growing out of, or caused by a prosecution