

as a whole feels like it doesn't, then we should just indefinitely postpone the bill, let those lawyers who claim they understand it, including the County Attorneys Association, get together and then present exactly to every member of the Legislature what they say it is they agree on. But I don't think the Legislature is bound by an agreement that the county attorneys have worked out. If they are saying that they want this proposition to make it "fair". In other words that each side has the same opportunity, how is that arrived at by allowing the prosecutor to appeal in a set of circumstances where on the opposite side but the same circumstances the defendant does not. I would object to the bill being returned and I think that it ought to either go forward or you should go ahead and kill it. It is not one of those kind of issues that is hindering the operation of the criminal justice system or the judicial system. Once the bill was offered a number of lawyers representing different interests did begin to deal with the bill. So I, as a member of the Judiciary Committee, will not say that a fast one was worked on me or that I didn't know what I was voting for, and I'm only speaking for myself. But, in any case, I don't think the body should accept the concept, or notion, that a fast one was pulled by anybody. That was not the case.

SPEAKER MARVEL: Senator Sieck, do you wish to close on the motion to return the bill?

SENATOR SIECK: Senator Chambers says there wasn't a fast one pulled as far as he was concerned and I think that is correct, because I do feel that he understood it. But, I do feel that we do not want to load the courts. We should recognize that the courts need assistance and that we need further evidence and we find the further evidence, then we should be able to use it. The defendant has right to go to any court. He can go to higher courts and he has the right to appeal at any time. So, I don't feel that we are degrading the defendant with this particular piece of legislation. So I would sure encourage you to pull this back off of Select File and attach this amendment. Thank you.

SPEAKER MARVEL: The motion is to return the bill for a specific amendment. All those in favor of the bill being returned vote aye, opposed vote no. Have you all voted?

SENATOR SIECK: I'll ask for a Call of the House....a roll call vote, not a Call of the House.