will come before the judge and says, well I'm guilty of a Class I misdemeanor, the judge is not going to be able to take that plea because it's past the statute of limitations, if you take the misdemeanor back to three years.

SENATOR BERNARD-STEVENS: Let me see if I have it correctly. If we change...if we were to agree to Senator Chambers' amendment, and we would delete the misdemeanor part for the five years, that would still remain three; the felony would still be four years. You have a case that is being tried as a felony, you plea bargain it down. What you're saying is if you plea bargain it down, to those of us that are lay people within the...not within the court system, if you plea bargain down, then those rules and regs, if you wish, or the law regarding a misdemeanor now applies,...

PRESIDENT: One minute.

SENATOR BERNARD-STEVENS: ...even though it is a felony. So, since the Chambers amendment would take out the five year statute of limitation, you could not plea bargain it down, if it was a four year case, even though that would be possible as a felony, because we had a five year statute of limitation you could not plea bargain it down because the rules on the misdemeanor would then be only three years. Is that basically...

SENATOR KRISTENSEN: Yes, that's...you're basically correct. What happens is you dismiss the felony, you have to then file the misdemeanor charge and he will plead guilty to the newly filed misdemeanor charge. So that is how, technically, it happens. So, in other words, if you dismiss the felony, get rid of it, you've got a new misdemeanor case, and the agreement is that is what he's going to plead guilty to. That's what I think you're looking at.

SENATOR BERNARD-STEVENS: Thank you. On the surface, and I say on the surface because I'd like to hear Senator Chambers' response, on the surface it sounds to me that the amendment should not be agreed to.

PRESIDENT: Time has expired.

SENATOR BERNARD-STEVENS: I say that very hesitantly because I'm going to sit and listen to more of the discussion on this