

SENATOR SMITH: There is no distinction between the types of cases that will get there then?

SENATOR KRISTENSEN: No. In the constitutional amendment, we are putting in a floor, capital cases, and constitutionality of statute cases can never be taken away. Then we, as a Legislature, are going to decide that. We are going to be able to decide, we can add every case in the world back into the Supreme Court if we want to, but that is not what this legislation is for. That is yet to come. Okay...

SENATOR LABEDZ PRESIDING

SENATOR LABEDZ: Time is expired, Senator Smith.

SENATOR SMITH: Now wait a minute. Okay, my time problem.

SENATOR LABEDZ: Senator Chambers.

SENATOR CHAMBERS: Madam Chair, and members of the Legislature, I am glad that some of the other senators are at least asking questions so it will be a matter of record the types of things that are of concern to people, but let me tell you how the Supreme Court is done. It is a case that involved myself and it was a traffic ticket, and the court reversed the decision that the lower court gave, but instead of dismissing the charge, they sent it back for a new trial which means it clutters the system. And one of the judges dissented. They all unanimously agreed it should have been reversed, but the dissenting judge said the only way we can require a retrial of this matter is to go against the precedent we have set already that in a case like this we dismiss when we reverse. But in order to make me stand trial again on a traffic ticket where I was improperly convicted, the court changed its precedent to make me go up again on a traffic ticket. So if they have got all of this work and the court system is so cluttered, when you begin to see how they pick and choose the individuals that they are going to treat a certain way, I consider it discriminatory. And since I am deemed to be an unpopular person in this state, so what? But it shows to what length this present Supreme Court will go to get a particular individual. Now here is the question that we ought to be asking that relates to a broader question. If the only cases that go up to the Supreme Court as a matter of right are capital cases, and we don't have many of those, and cases challenging the constitutionality of statutes, and there are not