

SENATOR CHAMBERS: Now if my amendment is adopted, would it change that in any way or maintain what exists now that you and I have been discussing?

SENATOR KRISTENSEN: Well, it's not going to change anything, other than embracing the Constitution all criminal cases where before we have all felony.

SENATOR CHAMBERS: But the current system now...

SENATOR KRISTENSEN: It would keep the current system.

SENATOR CHAMBERS: Right. Can the Supreme...okay, that answers it. I won't drag it out because of time. I just wanted it clear to everybody that what I said my intention is, is what, in fact, this amendment will carry out, to entitle every person who is a criminal defendant an appeal to the Supreme Court which such a person is entitled to right now under the current system. If you adopt the provision that is being offered by the original or the amended version of LR 8, amended by the committee amendments, criminal defendants don't have that right of appeal to the Supreme Court. Let me ask Senator Kristensen a question about that so that the record can be clear. Senator Kristensen, as LR 8 stands now without the amendment up that I am proposing, the only category of criminal defendant who is entitled as a matter of right to an appeal to the Supreme Court would be one involved in a capital case or one who could raise a constitutional issue in his or her case. Is that correct?

SENATOR KRISTENSEN: That's right, but you've got to put one more thing to that.

SENATOR CHAMBERS: Well, do it.

SENATOR KRISTENSEN: Or as we decide they'll do. We get that choice here.

SENATOR CHAMBERS: But I'm talking about what this does that we have before us right now.

SENATOR KRISTENSEN: That's in here.

SENATOR CHAMBERS: But what I'm talking about now, as a matter of right guaranteed by the language of LR 8 as it stands now,