

immoral, dangerous, violent or anything else. It just means that the Legislature enacted a provision and attached a penalty to it if you violate it. That's what makes it a crime. If they say littering carries a punishment of \$500, once a penal sanction is attached, that becomes a criminal law. Violation of it is a crime. Anybody convicted of a crime...

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: ...is a criminal. So don't think when you hear those terms of somebody with a turned up collar and a dagger waiting to stick it in your back when you come around a corner. I believe that there have been many instances where people have been improperly charged, improperly tried and unjustly convicted and unjustly sentenced to punishments. Lower courts are not as circumspect as the Supreme Court and even if, as Senator Kristensen is trying to indicate, you would have quality judges at the level of the appellate court, justice must not only be done, justice must seem to be done. We're talking about the perception that the citizens have of how their judiciary operates and how justice, whatever that means to each individual, is being meted out by...

SPEAKER BARRETT: Time has expired.

SENATOR CHAMBERS: ...the state.

SPEAKER BARRETT: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, I yield my time or give my time to Senator Kristensen.

SPEAKER BARRETT: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Senator Bernard-Stevens. Senator Chambers asked you to look into the Constitution to see where there is a right to appeal a case. The Constitution only tells you right now that you can appeal, by right, two types of cases. Those are all cases of felony and the capital cases. Nowhere in the Constitution does it say that you have a right to appeal your reckless driving case to the Nebraska Supreme Court. Who says that? We say that by statute. What Senator Chambers is going to be changing is, by Constitution he is going to take the power away from us to determine what misdemeanors, what possession of marijuana cases. If we don't want the possession