

SENATOR ASHFORD: It's created under Article XV, Section 9.

SENATOR KRISTENSEN: But who decides if one is going to be created?

SENATOR ASHFORD: No, it says, it says, laws...okay, laws may be enacted and may be created...You're right, the Legislature creates it, but it's constitutionally mandated.

SENATOR KRISTENSEN: Okay.

SENATOR ASHFORD: All right.

SENATOR KRISTENSEN: Okay, so in effect we, as a Legislature, are going to decide who gets to appeal to the Supreme Court because it says, may be created...

SENATOR ASHFORD: No, no, no, no, that's not what it says in Article XV, Section 9. It says, appeals shall lie. Once we create the commission, then appeals shall lie to the Supreme Court. That's my concern here.

SENATOR KRISTENSEN: Okay, if we wanted to take away the right of appeal to labor unions, how would you do it?

SENATOR ASHFORD: We've done it, apparently. But we've done it by, in effect, unless I misunderstand Senator Chambers, the language that you have in LR 8 would be or probably would be interpreted as a repeal of prior constitutional language in Article XV, Section 9.

SENATOR KRISTENSEN: That's right. Okay, here's my...okay thank you very much. Here's my point is that the Legislature has the basic obligation. We can decide if we want a court of industrial relations or not. We've decided we're going to have one. If we're going to have a court of industrial relations, they can have appeals. They need appeals. Mistakes are made in lower courts, mistakes are made in the court of industrial relations, they need to have a right of appeal. Now, under this language that we have in LR 8 right now, we are going to create, by law, where those appeals are going to be. They can be to the Supreme Court. They could be to the appellate court.

SENATOR ASHFORD: Right. That's a change from the current