

If you buy into the Chambers amendment, what you're saying is, well, the Supreme Court is the only people that have a corner on knowing the answer, not true. The judges of the appellate court aren't going to be lower quality people. In fact, one of the provisions that we have down in statute in Judiciary Committee is that those judges not be required to live in Lincoln, so we can draw on good judges from around the state and not restrict our pool because of money. It's too expensive to move to Lincoln. We're going to get that chance and I think Senator Chambers is going to be very involved in what type of a statute that we have in 942. You'll probably see that up here next year. In fact, we plan to do an interim study to go out and examine the types of cases statutorily and not constitutionally we're going to put in here. If we leave all the felonies in there, effectively what you're doing is leaving the status quo. Nearly a third of all the cases in the Supreme Court today are those felonies and judging by the amount of legislation that we're passing here in the body, we're adding more felonies every day. Look at our agenda. Look at the amount of bills that we have for increased drug offenses, increased penalties.

PRESIDENT: Time.

SENATOR KRISTENSEN: Thank you, Mr. President.

PRESIDENT: Thank you. Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, it's ironic to me that Senator Kristensen who brought us a resolution the other day to commemorate the 200th anniversary of the first sitting of the U.S. Supreme Court should be here now trying to take away citizens' rights to appeal to the State Supreme Court. I had read to you what Gengrich and Gramm are trying to do, including taking away the federal court's right to rule on prison overcrowding. What Gengrich and Gramm are counting on is what Hitler counted on. The advantage to people in power is that the people at large don't think. What Gramm and Gengrich are counting on is the fact that the people at large don't know. Senator Kristensen and every lawyer in here who has read any federal case related to prison overcrowding will know that a decision can be taken on the basis of the 8th amendment to the Constitution prohibiting cruel and unusual punishment. When the court makes a ruling on the basis of the Constitution, a statute by Congress cannot overturn that. If the court construes an enactment of Congress and rules it to be