

first amendment I have to the bill is by Senator Beutler, I'm sorry, Senator Chambers, I'm sorry. Senator Chambers has an amendment pending. (Chambers amendment is on page 1115 of the Legislative Journal.)

SPEAKER BAACK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, the mistake is...it's understandable. Senator Beutler, when he was in the Legislature the other time, used to sit next to me, and people often got us confused, because we are meticulous in our approach, very logical, methodical, highly intelligent, trustworthy, honorable and all these other things. So I'm sure Senator Beutler does not take offense at being referred to as Senator Chambers. And I certainly don't take offense at having my amendment attributed to Senator Beutler. This is an amendment which I think has a great amount of merit. And to state as concisely as I can what it does, the bill, as drafted, requires that certain matters be entitled to an appeal to the Supreme Court. It mentions capital cases, which is required by the constitutional provision that was adopted. And this bill will require that cases where a life sentence has actually been imposed will go to the Supreme Court by way of appeal. I want to ensure another category of cases going to the Supreme Court by way of appeal, and that category would be the IB felony. The penalty for a IB felony is ten years to life. And I think any sentence which can carry, any offense which can carry a life sentence ought to have an automatic appeal available to the Supreme Court. I discussed reasons for the bill...for the amendment yesterday, so I'm not going to go over all of that territory. But I will emphasize that I think it is not good policy to take away rights of appeal which the citizens always have had in this state. Throughout the discussions and the attempts to sell the constitutional amendment that would create an appellate court, talk of a backlog was emphasized. The backlog does not exist with reference to criminal cases. We could create this appellate court and limit its jurisdiction to civil cases and cut down the backlog. Criminal cases all could continue to be appealed to the Supreme Court as a matter of right, and the stated purpose of creating an appellate court would still be met. Because I think this bill is greased, I don't think there is a great amount of interest in the Legislature as a whole to follow the discussion, nor is there great concern among the legislators as to the impact this bill will ultimately have on the citizens. I have to be realistic