

there for your life. And I guess that's the question that I want to ferret out here a little bit, that it's...the purpose of it, or the effect of the sentence might well be the same. So, depending on where you're at and who you are, you might well have a life sentence, if you'd have one of these others, the Class II felony also has a 50-year imprisonment, that covers a lot more cases as well, because there are a lot of penalties under the Class II felonies that have a maximum of 50 years. What you propose to me really only has one or two classes of penalties, doesn't it?

SENATOR CHAMBERS: Yes. If I may comment, and I'm not...

SENATOR KRISTENSEN: Sure, go ahead.

SENATOR CHAMBERS: ...going to take a lot of your time. Remember, Senator Kristensen, what I would like to do is allow all criminal cases to continue to be appealed to the Supreme Court. If I thought that I could get that category that you mentioned, with the 50-year maximum, appealable to the Supreme Court, I would include that. But I'm not sure that I can get that. So I'm taking the worst sentence that remains to try to have that appealable to the Supreme Court. So that's what I'm doing. And then just one other point, if I may.

SENATOR KRISTENSEN: Sure.

SENATOR CHAMBERS: When a person is given a life sentence, that sentence cannot be mitigated to a term of years, unless the pardon board undertakes some action. Any other sentence that is for a term of years, when it's pronounced, the person is eligible for parole based on how much good time they acquire and the other factors that we know come into play. And in the sentence that you mentioned, as harsh as the maximum limit is, there need be no action by the pardon board before that person is eligible for parole. With a life sentence that...it's a different matter.

SENATOR KRISTENSEN: Thank you, Senator Chambers. I think that's important for the record to show that that's what we're discussing here. I think that Senator Chambers points out our difference of philosophy here. The only thing that is mandated by the Constitution to be in is the capital cases, when I drafted the bill I put in life imprisonment cases because I think that that, in effect, is in a way a death sentence, if