

that I'm opposed to this bill. I'm going to vote against it, and if taking "Judge" Kristensen out of this world would make sure that this bill would not pass, I am not so much opposed to it that I would resort to that alternative.

PRESIDENT MOUL: Thank you, Senator Chambers. Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the body, I have a couple questions for Senator Kristensen, please.

SENATOR KRISTENSEN: Yes.

SENATOR HABERMAN: Senator Kristensen, I don't know whether this has been discussed, so I'm going to ask the question. What...how many appeal courts...we're going to have six appeal courts?

SENATOR KRISTENSEN: No, we're going to have one appeals court with six judges.

SENATOR HABERMAN: Okay.

SENATOR KRISTENSEN: Yes.

SENATOR HABERMAN: What if one court on a common problem gives the opposite decision as another appeal court, then what happens?

SENATOR KRISTENSEN: You're making two assumptions there, one that they're identical facts, and identical cases, which never occurs. I mean you just...court cases are like snowflakes, you never have two that are exactly the same, because you have different facts, always. And so what...

SENATOR HABERMAN: Well, okay, let's say that we have a close enough...for the sake of the discussion, we have something that is pretty close, where does it...what...where does the appeal go, what happens?

SENATOR KRISTENSEN: Well, what would happen is that the appeals court would look at what the law of the State of Nebraska is, as pronounced by the Supreme Court, that's their interpretations of a statute, that's their constitutional interpretations in common law. That's what will guide the appellate courts. Could they on cases that are kind of identical, I mean, they're similar,