

citizens of this state, through the passage of this legislation, which rights ought not to be taken away. In the name of efficiency of court operation and administration, substantive rights of citizens should not be swept away. From the time that Nebraska was a state, people accused of felonies and convicted of felony offenses had a right, guaranteed by the Constitution, to an appeal before the Supreme Court. LB 732 changes all of that. Senator Kristensen acknowledged that, anticipating some of the opposition I and others would have did mitigate that, to some extent, by including a requirement that anybody sentenced to life would be guaranteed an appeal to the State Supreme Court. There are other serious felony punishments that can be imposed which I think should guarantee a person facing one of those punishments an appeal to the Supreme Court. The nature of the charge itself is not the determining factor. Mr. Allen Baer, in Omaha, was indicted by the grand jury, looking into the Franklin matter, of a felony offense. In a plea bargain or arrangement, the prosecutor agreed to dismiss that felony indictment by the grand jury, and charged Mr. Baer with a misdemeanor, to which he pleaded guilty. So the original charge is not the main thing. The punishment that can be attached is the important thing. The punishment given to Mr. Baer, under the preagreement, was a \$500 fine. If his conduct were such as to be properly described by the misdemeanor offense to which he pleaded guilty, then a \$500 fine is sufficient. But if that agreement changed the nature of the conduct involved to something else, then a different set of questions would rise. What I'm talking about that I would like to have seen guarantee a person an appeal to the Supreme Court is at least one category of felony which could carry up to a life sentence. Whether a person would actually be given life or not was inconsequential, in my thinking, because if life is the maximum, any sentence less than life could be given. And if, in fact, a sentence in terms of years were to be given, less than life, the person receiving a term of years might be required to serve a longer time than somebody who got a life sentence. And it would work in this fashion, the pardon board can and has and routinely does...

PRESIDENT MOUL: One minute.

SENATOR CHAMBERS: ...reduce life sentences to a term of years. The term of years to which that life sentence would be reduced could very well be less than the original sentence, in a term of years, given to somebody who did not get life. Senator Abboud,