

look at it and say, well, they made the decision one way, we disagree with the decision they reached. However, if you have a whole new trial de novo in the Supreme Court, then it is open to more new evidence and things could get brought in. It is a cumbersome proceeding. The Supreme Court is not equipped to do that. That is not something to do. At the same time, I don't think that what you want to do, you don't want to do just an error review. In other words, they look and say, well, the procedure is okay, we don't care about the ultimate decision that was reached, but the procedure was okay.

SENATOR MORRISSEY: That is the least I want to do. Is there no instance in which new evidence can be brought into the Supreme Court?

SENATOR KRISTENSEN: If you want new evidence, then you want de novo, trial de novo.

SENATOR MORRISSEY: But are there other instances where that is done in the Supreme Court, or would this be the only one? I am not trying to plow new ground here, but I am just trying to get...

SENATOR KRISTENSEN: I think if...

SENATOR MORRISSEY: ...the ability to review.

SENATOR KRISTENSEN: And I think impeachment, which is an original action, is where they take in their own evidence. I am not aware of anything else and, Senator Landis, I need you to help me out here. I am stuck. I don't know of anything else.

SENATOR MORRISSEY: This is the...

SENATOR KRISTENSEN: This would be virgin ground as far as I am concerned.

SENATOR MORRISSEY: ...original action, and since no other court action has been taken here since we are going directly to the Supreme Court, would this not be similar to original action...

SPEAKER BAACK: One minute.

SENATOR MORRISSEY: ...and, again, I'm...