

SENATOR KRISTENSEN: Yes.

SENATOR MORRISSEY: Do you think we're setting a good precedent by taking this one environmental issue and running it to direct appeal to the Supreme Court?

SENATOR KRISTENSEN: Well, in terms of a precedent, I think that it ought to be, and you may chuckle at this, but the appropriate place is to take that to the Court of Appeals on the proc...

SENATOR MORRISSEY: (Laugh.) I may, yes.

SENATOR KRISTENSEN: No, but I mean seriously, in terms of policy that is where it belongs,...

SENATOR MORRISSEY: Yes.

SENATOR KRISTENSEN: ...because that's an error proceeding...procedure, it's not something that is of a precedential nature, and that appropriately belongs in that court, one, it will be a little quicker; but, two, that you'll...you won't have the problems of the Supreme Court for time delays and all those other sorts of things. Can we do it? Yes, you can do it. Do I think it's the best policy? Well, I don't think it's bad policy, Spence, I really don't, cause I think that you can take that...this isn't going to be one of those where we've got a bunch of appeals. You may have a number of people who want to appeal, but the ultimate issue doesn't come around very often. So I'm not standing up saying that it shouldn't go to the Supreme Court. Now, if you're going to start bringing a lot more cases in, that is bad policy. I think that if you start down the long list of things, and say everybody is going to go directly to the Supreme Court, yes, that is bad policy, and I don't think that I would support that.

SENATOR MORRISSEY: Okay, I...

SENATOR KRISTENSEN: This issue is pretty important, as far as I'm concerned, I think as far as you're concerned. And I think ultimate issues have to be decided in that case. And so in terms of bad policy this one time, no, I don't, but if we start a bunch of them, I do think that's poor policy.

SENATOR MORRISSEY: Okay, thank you. Senator Lindsay, would you answer a question?