

SENATOR FELLMAN: No, no, Senator Carstens you have underestimated it. They could have four. They could have the Chief Justice, they could have one man that lives in South Omaha, one man that lives in Central Omaha, and one man that lives in West Omaha, and any Governor that would make that appointment like that would have committed political suicide, and would have probably exercised extremely poor judgement. That's assuming the Judicial Nominating Committee would nominate people like that. The Nominating Committee is composed of people from that district. There is, as you know far better than I, a long tradition, of a Lincoln seat in southeast Nebraska seat, and a Omaha seat. And while it's possible, I think the probability is so remote that it should be dismissed. The facts of life are, that there is one Omaha seat, and the Chief Justice could come from any place.

SENATOR FRED CARSTENS: Well would you if this bill is raised on the floor, would you be content to having it amended to have the Chief Justice appoint the seven associate justices, rather than have them

SENATOR FELLMAN: Have the Chief Justice appoint the six associates? No. No. I would not. I think that that would change. That isn't even..I don't think that question is even germane to the issue. I would agree to other modifications. I'm not hard and fast on the present district, or the congressional districts. It seems to me..the principle that I'm for is a more equitable distribution that reflects population.

SENATOR FRED CARSTENS: Well, the reason I mentioned this appointment. This Legislature only a few years ago saddled on 91 counties in this state. A court reorganization bill that permits the county judges in the state of appoint associates Judges. And I can't see any difference in principle. So we could eliminate, if it's good for the counties, why wouldn't it be good for the state if we had to Chief Justice.

SENATOR FELLMAN: But, Senator Carstens, if it's bad for the county, which is your position. Wouldn't that make it bad for the Supreme Court, also?

SENATOR FRED CARSTENS: I'm opposed to it.

PRESIDENT: The Chair recognizes Senator Nore.

SENATOR NORE: Mr. Chairman and fellow members I rise to oppose of raising LB 1033. First I would like to remind you that Legislature redistricts every ten years. This was done in the case of the Supreme Court two years ago, and it was the result of a lot of hard work on the part of a lot of people. And if we revise this we are going to have the same fight all over again. Now, Senator Waldron talked gerrymandering. Have any of you ever thought about the redistricting of the Legislative Districts, the last..the two years ago..Senator Waldron why did you take Calloway and put it in the Lincoln County? Answer that will you please?

PRESIDENT: Senator Waldron do you yield?

SENATOR WALDRON: Senator Nore I never mentioned gerrymandering. That's your term. I mentioned what I'm trying to do.

SENATOR NORE: I'm asking why you put Calloway into Lincoln County?