

SENATOR MARSH: Are we voting on 851?

SPEAKER: That is correct. The motion is to indefinitely postpone the bill. This requires a majority of those voting. I'm going to hold this board open for about 30 seconds. Question is shall the bill be indefinitely postponed? For the last time. Clerk will record.

CLERK: 17 ayes, 20 nays.

SPEAKER: Bill is not indefinitely postponed. It stays on the board. We go to the next bill.

CLERK: Read...

SPEAKER: Just a moment Mr. Clerk. OK, go ahead and read.

CLERK: Read LB785

SPEAKER: Chair recognizes Senator Luedtke.

SENATOR LUEDTKE: Mr. President, members of the legislature, I move that LB785 be advanced to E & R Initial. 785 is the merit plan for county judges and a matter which has been studied with regard to court reform for many, many years. The state of Nebraska has been a leader Nationally in the merit plans and their selection plan of their judges, and we have all but one court, or series of court in the state on the merit plan now and namely the county courts. This would merely take care of that particular matter and making and bringing the county courts under the merit system for selecting judges and completing the application of the merit plan for all of the courts in the state of Nebraska. Number two, it makes the county court districts originally established two years ago the same as the district court judicial districts. In other words, we would have uniformity in all judicial districts in the state for better balances and case loads among districts. That would also mean that if the judicial districts are switched and changed they can all be done at the same time with regards to all the courts of the state. Lastly it permits the judicial nominating commissioners on the nominating or the district nominating commissions to be appointed or elected to also serve on the county court judicial nominating commissions, thereby assuring an a...a... a certain number of available commissioners. This was done because I had requested an attorney general opinion which clarified that this was they this was the way that it had to be done in order to conform with the constitution. Those are the three things that the bill does. It is merely completing the cycle of court reform which was begun many years ago. I therefore urge that we pass it on to E & R initial.

SPEAKER: Senator Syas.

SENATOR SYAS: Well right at the moment Mr. President, I don't know what I am going to do about the bill, I have mixed emotions we have set up the merit plan for all other classification of judges and now we are going to go the other and whether we should I suppose we will have to strike for uniformity but I wish to say to Senator Luedtke when he states that Nebraska is out-standing in the merit plan they sure are. We have lost all control of the judicial people...of the judicial system by the people on the merit plan. That is the worst thing that could happen. So we actually have in the state of Nebraska we do not have equal and three equal governments, check and balances