

January 11, 1980

LB 261

Congressional lines are drawn.

SENATOR HABERMAN: Senator Hoagland, I am going to have to assume that it will and that the system is working just fine the way it is now so let's leave it alone. So I will have to oppose your bill, thank you.

SENATOR HOAGLAND: I sent to your chambers, Senator Haberman, a three page letter that explains in detail the effect that it should have.

SPEAKER MARVEL: Senator Keyes.

SENATOR KEYES: Mr. Speaker, I think the questions I was going to ask have been pretty well answered. It seems to me that we will have three Supreme Court judge districts whose boundaries shall be the same as the Congressional districts. The Supreme Court judges will be selected equally from these three districts. We are giving to those that are in office now the rights of survivorship, and when there is an opening for a new judge, he will have to come from one of the three districts. There is no other place he can come from and he will replace the district from which he came so Senator Haberman is rather saying that there will be probably four from the Second Congressional District 'tis an impossibility because it would be an impossibility. So I don't think Senator Haberman has too much to worry about. I think what Senator Peter has said is right, Peter Hoagland is right. So there will be no such thing as four from the Second District and two from the First or the Third District.

SPEAKER MARVEL: Senator Murphy. Senator Murphy passes. Senator Johnson.

SENATOR JOHNSON: Mr. Speaker, members of the body, I did want to take just a few minutes to respond to Senator Dworak's questions concerning geographic representation. It is hard for me to say whether or not the United States Supreme Court decisions of one person one vote would truly be applicable to the Nebraska Supreme Court process. Without any question, there was a time in our history when we did elect judges, and so long as we were electing judges, the concept of one person one vote would control. I am convinced of that. Now we no longer elect judges. Judges instead are appointed from certain geographic areas and they are appointed by nominating commissions. However, the retention of those judges is then put to a vote of the people and it would seem to me that inasmuch as the