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LB 261

is Third District. All right, if he should retire or quit, under your law who replaces him? Somebody from the Third District?

SENATOR HOAGLAND: We are going to have some transition problems.

SENATOR NICHOL: That is what I am getting at right there.

SENATOR HOAGLAND: And that is going to depend on how we implement the constitutional amendment, Senator.

SENATOR NICHOL: But that is exactly what I am getting at, Peter, is that are we going to have a transitional problem whereby Omaha gets another Supreme Court judge. Specifically I bring this to your attention so this will not happen because some of us out there in the Third District we don't want another one appointed during this transition where three or four judges, or five, or maybe six could be appointed from Omaha. This isn't fair.

SENATOR HOAGLAND: All right, as the districts are set up right now, we could have as many as three judges from Omaha, the way the districts are now drawn. If this passes, there could be no more than two judges from Omaha.

SENATOR NICHOL: Even during the transitional period there could not possibly be, and I am doing this for the record, there could not possibly be the third judge appointed from the district in which Omaha is located?

SENATOR HOAGLAND: We are going to have to implement this constitutional amendment in order to decide exactly how the transitional seats are going to work out. Now when the dust settles, why there will be two from each Congressional district, no question about that. And we have not drawn an implementing language yet. We are going to wait and see whether the constitutional amendment gets put on the ballot. I think we could draw that language in such a way that that could not happen and I would support that. It certainly is not designed to do that.

SENATOR NICHOL: Okay, you would support...could you as a lawyer....

SENATOR HOAGLAND: And I will. I commit myself to supporting that.

SPEAKER MARVEL: Senator Nichol, your time is up. Have