

SENATOR HIGGINS: Thank you, Mr. President, I'd like to ask Senator Beutler a question. Senator Beutler, all I want to know is, and I've been listening, I confess, I've got a slight headache so probably everything hasn't gotten through to me. But in reading the fiscal note, would you explain to me where is the savings? I...that's what I'm...just going from 21 to 10. Everything here says that there is no fiscal impact so that's what I really want to know.

SENATOR BEUTLER: Okay, can I give you a long answer? It's an honest...

SENATOR HIGGINS: You can take my whole five minutes if you want because I'm serious about it. I mean, I'm not trying to harass your bill. I don't want to just say, let's do this and it's not going to mean anything one way or the other to the state.

SENATOR BEUTLER: The bill as I am proposing it now doesn't take away anybody's judges and it doesn't change the current district lines as a practical matter. It changes them into election districts. So all this stuff about distances traveled and all that means nothing because I'm not changing anything in that regard. There is still the same number of judges in the same districts out there. Now where the savings comes is as follows: Under our old system you would come to the Legislature when your judge was overworked and you would say, my judge is overworked, we need a new judge. Well, maybe your judge is only overworked by about 10 percent or maybe he is only overworked by about 20 percent. So when the Legislature adds a new judge all of a sudden his workload is in half, reduced 50 percent. So now what you have are two judges who are working 60 percent of the time instead of one judge who was working 120 percent of the time and that is one of the major flaws of what we're doing right now by coming to the Legislature first. What I am trying to do is say, go to the commission first, the experts, and let them adjust the workloads before you come to the Legislature to ask for a new judge. The authority to grant new judges is retained by the Legislature. Okay? They can't, the commission cannot create new judgeships. They can shift things around, but they cannot create new ones. That's still in the Legislature where it should be, but before they come to the Legislature and ask for a new judge they should have done a couple of things. They should have looked at the district boundaries and the workloads of