

SENATOR BEUTLER: Thank you.

SENATOR SMITH: I think there needs to be more explanation to make it clear for me.

SENATOR BEUTLER: Okay, let me try to answer those questions, and if I don't answer them, if I didn't understand them properly, be sure and let me know. First of all, the first letter spoke of the fear of the Supreme Court having total authority and I must...I am assuming that that letter was probably written before this amendment to the committee amendment because the authority no longer is in the Supreme Court but it is in this commission, and probably your letter came from lawyers, and now under this commission form, three members of the Bar Association are participating in this process, one from each Congressional District, so there will be one from your Congressional District, too. Now there are certain...it seems to me there are certain types of things where you want a lot of local control but there is some reasonable tension between what we call local control and you have to think about the reasons why you want local control in particular instances, and the need for a system, for a system. And when I think of a need for a system, I think of a system's need because in most things you desire a kind of uniformity throughout the state, because if you have uniformity, then citizens perceive it to be fair. For example, if in your area in Hastings, it takes you 30 days to get a court hearing on something, and in another district just north of you it takes six months to get a court hearing on something, the citizens of those two areas are not going to perceive that as fair because it is a statewide system and each should have equal access to the courts, and instead of six months in one area and 30 days in another, it should be...well, it should be 30 days in all areas but at least it should be the same in all areas and that is why you want a degree, I think, of administrative ability. Every system needs to have administration, logical administration. What we have here is a corporation without a head, a board with no chief executive officer or not even a group of chief executive officers to perform the basic function of the corporation which is to adjust the workloads of the main workers. So that would be my answer to that I guess. In the first instance it is based on the old form of the bill, not the new form of the bill with the commission and, secondly, it simply isn't correct in philosophy from my personally point of view altogether.