

PRESIDENT: Senator Beutler.

SENATOR BEUTLER: Mr. President, members of the Legislature, hour after hour now I have tried to stand here and show you the exhibits and show you the facts and ask you to look at the facts. And all I get in response are scare words, such as absolute power, Beutler is on a crusade, total shift of power, loss of local control. I am asking you in all fairness to start examine those scare words in light of the facts and see they, in fact, have any basis, in fact, whatsoever. Local control, what is the local control in this case? In the school district situation you had a board out there that was a kind of local control. What is the local control in this case? There is no control. The judge sits there and does what he pleases and if he is not working, he is pleased not to work. Who tells the judge to work on the local level if he is not working? Somebody answer me that question. This system...this system is a hydra. A hydra is an old Greek sea serpent that had nine heads and every time you cut one off, two grew. And this system has had its head cut off a number of times because it has 49 heads. That is us. We are the only thing that has any control over this system. And I have tried to point out to you in individual specific examples over the last six years and historically over the last ninety-four years how we have not been able to exercise control. It is some control versus chaos. It is not some control versus local control. It is not a total shift of power. If I wanted a total shift of power, I would have presented to you a constitutional amendment that would have given the judiciary the power to set judicial workloads in districts. That is a total shift of power. Power continues to reside in this Legislature. But I am asking you to do an intelligent structuring of the power. Let the experts, let this commission, representatives from all over the state, including Senator Lamb's district, and the third district, let them decide first an administrative problem, the amount of work each judge is doing. Let the administrators and those who work with the administrators within the system make that decision first. Then if we don't like it, fine, we can do something different. And, secondly, it is not even a total shift of power in that this commission is not given the power to add new judges. It is not given that power; that continues to reside in the Legislature. And it absolutely astounds me, absolutely astounds me that the very