

that we are going to by giving away this responsibility that we are going to find very much approval over the state of this 516. I think all the information I have been getting from the judges and the attorneys, letters that have been going across their desk clearly shows that there are some serious constitutional questions and certainly very, very little approval of LB 516. I urge you to support Senator Lamb's amendment.

PRESIDENT: Senator Beutler, do you wish to speak a second time on the amendment to the amendment?

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, just two quick points. First of all, the constitutional issue has been mentioned a number of times. I have absolutely no problem with what we are doing constitutionally. The Legislature certainly has the right to create a group to which it can delegate authority with regard to the judicial system. You may recall we have a judicial...a commission on judicial qualifications. That is a commission very similar to the one that we are setting up right here and that has been held to be constitutional. I don't think that there is any problem in terms of constitutionality and in any event I am sure that Senator Lamb and Hefner will write their opinion to the Attorney General and you will have it by Select File so you will know. But I am not bothered by what the Attorney General will probably say. Senator Conway mentioned to me the possibility of some kind of confirmation process based on whatever acts the commission might come up with or recommendations they might come up with rather as an alternative to changing their prerogatives to a direct recommendation form, that is some sort of process where the Legislature confirms what they did. I am not sure exactly what Senator Conway had in mind but I am willing to work with that idea if that idea has appeal to the body. But once again I would urge you to reject a straight recommendation kind of system because that is not going to solve the problem. I asked Senator Conway, for example, and I would ask Senator Remmers, three years ago even though his district was the most underworked district in the state and remains an embarrassment to the state, three years ago I presented to him LB 368 and four different plans to redistrict that area down there so that there was a fair work load between that area and the adjacent work load...adjacent areas. All of those plans were rejected.