

rejecting it now. But the argument is the same. The argument has not changed, Senator Wickersham. Senator Wickersham, Senator Kristensen argued the caseload basis for the appellate court. But what we're arguing here is not caseload, we're not arguing appellate court, we're not arguing redistricting, we're arguing the power of the judiciary, the influence of the Bar Association, and the ambitions of people who might be looking forward to judgeships in the future. We're arguing about interrelationships between senators in this Legislature and judges who now sit on the bench. And everybody in here, who has paid attention to this situation, knows what the reality behind all of this discussion is. There is really, despite what I said, nobody on this floor that I have discovered who is so unintelligent as to be able to understand the caseload argument for the appellate court system, but unable to understand it on this one, because it's a simple argument, and in many cases simple-minded. But that simplemindedness was sufficient to carry the creation of an entire new court system. As far as cutting money, the Legislature was able to cut out a youth leadership program, you cut the money out for that, because you're only dealing with kids who have few opportunities, if any. So in placing on the scale these values and weighing them and deciding on a course of action, you cut out the program that helps these youngsters. When we're presented with an opportunity to cut some money here and create efficiency in a system that everybody would acknowledge needs the efficiency, we cannot take a decision to cut some money there. Because of the power of the people involved, these disadvantaged youngsters have no advocates on this floor, but the judges and the lawyers do. Senator Robak mentioned that the state Supreme Court talked about the question of constitutionality with reference to an existing statute. The Supreme Court of Nebraska is not authorized, under the Constitution or statute, to give advisory opinions. An advisory opinion is one which is given where there is no controversy involving the question before the court, and the court decides to look at that matter and issue an opinion based on the concept of if there were a case, this is what the decision should or would be, therefore this is what the law is on that particular issue. This is like a...I didn't hear what Senator Robak said, but if she wants to ask me a question I'll answer it. This is in the nature of an advisory opinion. It's to intimidate the Legislature and make the Legislature run. I would like to ask Senator Robak a question,...

PRESIDENT MOUL: One minute.