

SENATOR KRISTENSEN: It's something we ought to look into, I agree...

SENATOR CROSBY: Right.

SENATOR KRISTENSEN: ...but, to be candid with you, I...

SENATOR CROSBY: Thank you.

SENATOR KRISTENSEN: ...I think so.

SENATOR CROSBY: Thank you. I do appreciate your answer. I just have a different feeling about it and I don't think that this is the time nor the place to start deciding how these judges would be appointed and approved. Thank you.

SPEAKER BARRETT: Thank you. The Chair is pleased to announce that Senator David Bernard-Stevens has a guest under the north balcony, Mr. Ed Beashore of North Platte, a member of the Twin Platte Natural Resources District. Would you please stand and be recognized, Mr. Beashore. Thank you. We're glad to have you with us. Further discussion on the Ashford amendment. Senator Chambers, followed by Senators Pirsch and Abboud.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I would like to address an initial comment to a question raised by Senator Crosby which I think is a good one to raise. I'm glad it was out here and discussed, in terms of whether or not a judge with a temporary appointment, who engages in a decision and is subsequently rejected, would have his or her participation in those decisions ruled invalid. The answer that Senator Kristensen gave, I believe, is absolutely correct because in the Constitution right now is the power for the Supreme Court to temporarily appoint district judges to serve as Supreme Court judges and they participate in decisions, and the fact that they are district court judges, they're not even Supreme Court judges, does not have any bearing on the validity of their decisions as far as them being binding. But when I look at some of the lunkheaded stuff that comes out, I would...I would talk about validity in a different context and say that the decisions they gave were not valid. But here's what I want to say about the amendment being offered here right now. It is an attempt to put the Legislature in a position that it ought to be in with reference to the operation of another branch of government. Already, the Constitution allows the executive