

plan. I think that Senator Dworak's plan is more feasible. It looks to me like it is more of a simple plan. I think that all sections of the State of Nebraska will be represented on the Supreme Court with this particular plan. It has been brought up that this plan is not following congressional districts but I see no reason why we should. At the present time, the way we have operated the last ten years we have not followed congressional district lines and so I guess I would just say to you, if something works, why change it, and so, therefore, I would urge you to bring this bill back and to put this amendment on the bill.

PRESIDENT: The Chair recognizes Senator Hoagland.

SENATOR HOAGLAND: Mr. President and colleagues, I also rise to support Senator Dworak's plan. I think the plan endorsed by the Bar Association based on congressional district lines is very sound and makes a great deal of sense. I think the one thing that that plan does not anticipate, however, is the problem we have with moving one judge of the Supreme Court out of his district and I think what makes Senator Dworak's proposal here most compelling is the fact that a recent Attorney General's opinion addressed to Senator Hefner which we received a day or two ago does not resolve all doubts with respect to whether or not a Supreme Court judge can retain his seat if his district is moved to an area exclusive of where his residence is and I think for that reason it makes sense to deviate from the Bar Association congressional district plan, not for the reason cited by some other people who think that it is fair representation. I think the other plan was just as fair in its representation but I think because we don't want there to be any question that sitting judges who are six years or more away from their retirement or well, who will have to go through another retention election before they reach retirement age should be left in the same district to be absolutely sure that we are not gerrymandering them out of their districts. So that we will be completely secure on that issue I would support this deviation from the Bar Association plan to take care of that one particular problem. Thank you, Mr. President.

PRESIDENT: The Chair recognizes Senator Marsh.

SENATOR MARSH: I move the question.

PRESIDENT: All right, it won't be necessary because you are the last speaker so, Senator Dworak, you may close on your motion to return.

SENATOR DWORAK: I waive closing, Mr. Speaker.