

cease? Have you all voted? Record, Mr. Clerk.

CLERK: 23 ayes, 0 nays, to cease debate, Mr. President.

SPEAKER BARRETT: Debate does not cease, however, we have only one light remaining. Senator Lindsay, would you care to close?

SENATOR LINDSAY: Yeah, after that it would really have to be a moving closing I guess. I'd like to address first of all a couple of points that were brought up during the debate. First of all, I neglected to mention, ran out of time in my last statement, Senator Abboud has talked about some of the major cases and he gave the example of Roe v. Wade, and how we hate to have had that heard by a division of three judges. It wouldn't have happened. It still wouldn't happen. On any of these major cases, they are going to be heard by the court en banc. When there is a major constitutional question, when there is a capital case or when there is just disagreement among the court, they are going to hear the cases in full, all nine judges. Senator Kristensen has talked about how the case didn't work in Minnesota, that it was tried and failed in Minnesota, and that is true. Minnesota is not Nebraska. It's not even close to Nebraska, well, it's close, I guess, what, three, four hundred miles? But the main thing is that Minnesota has a different population. It's much larger than Nebraska. It has a much larger caseload. It has more cases filed, more appeals filed and you can keep expanding to try to cover it, it's just not going to work. By the same token, New York has an intermediate court of appeals. California does, but that is not the issue. The issue is we have a state of a million and a half people. We shouldn't be comparing Minnesota, we should be comparing Utah or some of the states that have population bases that are somewhat equivalent to our own. Minnesota I don't think is a good comparison. The amendment is designed...the whole debate is going to come back up again next spring if the bill itself, if the resolution itself does pass because we're going to be down here arguing about money. It would be real interesting to see how that argument is going to go next year, because if we're going to fund six judges, which...and that's not, as Senator Kristensen pointed out, that number is not set in stone, but it was the proposal last year. If we're going to fund six judges, it's going to be a million, one in 1989 dollars, I guess, and that is going to have six judges trying to do the work of seven. That doesn't make sense. We're not going to reduce the work load by taking the work that seven people couldn't do and have