

resolution rather than on the one offered by Senator Wesely, myself and Senator Chizek. I don't think, without public hearings throughout the state, such a radical change should occur in the court system as that envisioned under LR 8. I would not want anything in the resolution that we have offered dealing with confirmation of judges by the Legislature to contain anything that seems to support the establishment of an appellate court. The courts mentioned by name in that resolution are the Supreme Court, district courts, then it says any other court or courts made subject to this provision by law. The appellate court is not mentioned. If an attempt was made to include the appellate court in that resolution and say this one that we're talking about was placed on the ballot and submitted to the people and rejected, then were the appellate court to be mentioned in the other resolution, there would be a provision in the Constitution for confirming judges to a nonexistent court. These two resolutions may not enjoy the same fate even if both are submitted to the public. The way the existing resolution of Senator Wesely is drafted deals with courts currently in existence. So, were it to pass, it would apply to all of those courts. Were there to be some reference to appellate courts in that...or the appellate court in that resolution, we could wind up with a provision dealing with how judges are to be confirmed by the Legislature for a court that does not exist. But I think that question was one that would take us away from the real issue here. The issue, again, is the creation of an entirely new court system, not just a court but a system, because we are changing other things throughout. This court is going to take over duties and powers currently enjoyed by the State Supreme Court. LR 8 will take away rights that the citizens have. Years ago when there was an attempt to restructure the court system, it was not done by having a bill brought in in this manner and submitted to the legislators. There were hearings everywhere. There was input from judges, lawyers, college professors, various committees, because it was taken to be a very serious and drastic step and one which should be taken only with the understanding...

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: ...of the public. The public not only does not understand LR 8, the public is not even aware of it. There are people on this floor who do not understand all aspects of LR 8. There have been no hearings throughout the state. There has been no opportunity for input from the public and there has