

been no attempt to put information out there to inform the public and we're making one of the most radical changes in the court system in Nebraska that has ever occurred. When we restructured the court system before, we didn't take away any rights that citizens had. We didn't take away rights to appeal or to get to the Supreme Court. That's what we're doing here in this manner and I think it's not appropriate. But if you insist on submitting this to the public, then at least let the package be completed by determining that the Legislature will confirm or reject the persons appointed to this court.

SPEAKER BARRETT: Thank you. Senator Wesely, followed by Senator Wehrbein.

SENATOR WESELY: Thank you. Mr. Speaker and members, again, I would rise in support of this amendment. I'll go through a few items. First off, as Senator Ashford, I think, already discussed, one of the big arguments that have raised is this idea of appointing these individuals and possibly not confirming them, the language that we drafted in the resolution that we introduced and is reflected in this amendment reflects the way we handle appointments now. People are appointed by the Governor. They serve until the Legislature confirms and then either they stay in that job or they don't stay in that job but that's the way we handle it. I am very satisfied if those of you who are concerned about that process want to change it so that people don't take the office until the Legislature confirms them and that is, in fact, how the Supreme Court was handled and appointments at the federal level. I don't have any problem with that. Frankly, I think that's the way it should be. The Legislature ought to confirm individuals before they start to serve, not after they have started to serve, and so I really don't have any problem with that argument. But if you change it...if you want to change it, that changes the policy across the board. All we're doing in this language is reflecting the current policy. You will also see in the language in there about not being able to reappoint the same person and it may seem superfluous but there are cases where people have been recalled from REA commissions, committees, and then the people have a petition drive and they're recalled by the people on a vote, and then the board that remains appoints to fill those vacancies and they reappoint the people that had just been recalled. And so you do want some protections in there that the Legislature's will on appointing somebody or not appointing somebody is maintained and so that's why you have that language