

having regents run from separate regential districts because they will...my suspicion is that they will affiliate with the institution within their district, they will be seen as a representative of that institution and not of higher education as a whole. The comment that we elect people in the Legislature on a district basis, at first glance, may seem, well, why not do the same thing with regents? The difference is in our state government we have three branches. We have an executive branch.

SPEAKER BARRETT: One minute.

SENATOR McFARLAND: We have a judicial branch so if we do something in the Legislature that people are dissatisfied with, the Governor who runs on a statewide campaign, or on a statewide basis, can veto that legislation. There is a series of checks and balances. If you have a situation where you elect regents by a regential district in which institutions are in that district, I think you run the risk of just continuing the provincial and parochial nature of that representation. I would note, by analogy, we have a county board that combines both executive and legislative functions in our county here of Lancaster County but they are not elected by separate districts. They are from a particular district within the county but when they run in the general election, they run on a countywide basis. They have to appeal to the interests of all of the electors in the entire county and it seems to me if you're going to have an all elected Board of Regents, the only way to do it is have them elected on a statewide basis.

SPEAKER BARRETT: Time.

SENATOR McFARLAND: Otherwise, they are going to be limited in their scope and their focus is going to be representing the institution within their district and not higher education as a whole.

SPEAKER BARRETT: Senator Withem, please.

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, first of all, I would like to thank Senator Schimek for bringing this amendment because I think it does get to the heart of some people's concerns with LR 239. On General File, with 239 we had a...kind of a rambling debate about a lot of points and we never quite got down to whether or not this Board of Regents ought to be all elected, all appointed. I guess we did have Senator