

CLERK: Senator, if I may...

SENATOR CONWAY: Yes.

CLERK: ...page 1452, at the bottom of the page, Senator, if I understand Senator Beutler's request, we would divide it on...in line 5, after the semicolon, that's where the division would occur, so everything before that would be amendment one, which essentially, I think, reduces the court size from nine to six, and the rest of it is in the phase-in element, if I'm not mistaken.

SENATOR KRISTENSEN: Okay, thank you. If I could have a further point of order.

SENATOR CONWAY: State your point.

SENATOR KRISTENSEN: I would request that we take the second half first.

SENATOR CONWAY: Your request will be granted. We'll take the second part of the division first. Okay, we are now discussing and will be discussing the second portion of the division of the question. Senator Haberman.

SENATOR HABERMAN: Well, Mr. President, I'm looking for some material. I will turn my light on again.

SENATOR CONWAY: Thank you, Senator Haberman. Then, Senator Kristensen, your light is next.

SENATOR KRISTENSEN: Thank you, Mr. Chair. I want to emphasize where we're at right now. The second half of this is the what Senator Moore would call the escalator clause; what I call this is the clause that, quite frankly, is something I put in there modeled after some other states but I did this, basically, upon if I'm going to take out the three judges, based upon the caseload, that you have some way of substituting back in this if the need arises. And it's nothing more than that. It isn't a matter of being able to get all three judges at once. It goes one judge at a time. You're going to have to have two consecutive years of going over the base amounts and then the base amounts would raise and you have to go over 150 filings. I think it's a matter of recognizing that the caseload and the