

ought to do is require that justices have to run for election, that if they are going to hand us decisions that basically put them into a position of being a super Legislature, they ought to have the same opportunity that all of us have of putting themselves before the public once every four years. A better provision, although it's not possible, would be pay them commensurate to what we make but, be that as it may, I think this is clearly an issue of nothing more than a numbers game and when you're putting a new system like this in place, potential for growth is always there. The ability to increase it is always out there and what Senator Beutler does through his amendment, I think, is say, he doesn't prevent that from happening down the road. The potential is there for that to take place. All he does is say that, look, six is a good start, let's see how it works, let's take a look at what the expenses are going to be there and let's proceed once that has had the opportunity to be on track. I don't mean to impugn Senator Kristensen by any of my remarks, mine are directed at the court in frustration that I have there, but, and I think he is being very forthright in his offering of this proposal on behalf of the court, but the issue here is just really one of numbers. Can we (a), first of all, afford it? I'd argue...the voters have said you can't afford not to have the court of appeals. The question is at what level. The six that Senator Kristensen has offered in the first part of his amendment is ample. It provides for that appeals court to be put in place. I think Senator Beutler's amendment to strike the provision to expand that without an affirmative vote of the Legislature is a very forthright proposal and it needs to be adopted.

SPEAKER BAACK: Thank you, Senator Hall. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, members of the body, very briefly, I also am in favor of striking the second section of the Kristensen amendment and I went over to Senator Beutler and commented that even when Senator Beutler doesn't offer an amendment, it was assumed that he offered the amendment at this point. Technically, it's not the Beutler amendment. I think we're talking about the Kristensen amendment. Senator Beutler made a motion to divide the question and the question is now on the second part of it, are we going to agree or not to...are we going to accept the second part or not to accept the second part, for those who are confused as to whose amendment it actually is. I am not in favor of accepting