

SENATOR WARNER: Senator Crosby.

SENATOR CROSBY: My light was on, Senator Warner, to speak on the amendment, the other amendment, thank you. I should have turned it off.

SENATOR WARNER: Senator Chambers, do you wish to address Senator Beutler's amendment? Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, members of the Legislature, I would like to ask Senator Beutler a question so I am clear on what we're doing.

SENATOR WARNER: Senator Beutler, do you yield?

SENATOR BEUTLER: Yes.

SENATOR CHAMBERS: Senator Beutler, you would eliminate the language on page 5, starting with the word "retired", in line 18, through the word "Appeals" on line 21?

SENATOR BEUTLER: That's right.

SENATOR CHAMBERS: Okay. I agree with Senator Beutler on this because what it does is allow the Supreme Court, as was pointed out by Senator Beutler, to establish any number of panels that it chooses. It does not say that the Supreme Court can create these new panels, additional panels, up to 15 additional panels or up to 10. It just says to create additional panels, any number. So after having labored as we did to reduce the number of judges from nine to six, we have left in this land mine which Senator Beutler has discovered and brought to our attention. If the purpose of the Legislature in passing 732 is to be honest and forthright, this sentence should be removed. The responsibility for creating new judgeships resides with the Legislature. We should not delegate that to the courts by means of this sentence. I would defy Senator Kristensen, Senator Baack, Senator Wickersham or any of the others who have signed onto this bill to show that what Senator Beutler has stated and with which I agree, that this sentence does not authorize the court to create as many panels as it chooses. I'm going to ask Senator Kristensen a question if he will agree to answer it.

SENATOR WARNER: Senator Kristensen, do you yield?