

SENATOR HABERMAN: There will be...

SENATOR KRISTENSEN: You're just going to cut down on the flexibility and that's something I guess I'm not...I don't think it makes good policy to do that.

SENATOR HABERMAN: Do you know how many judges now are in the retired judges system?

SENATOR KRISTENSEN: Oh, not right off the top of my head, no, I don't.

SENATOR HABERMAN: Must be enough to take care of the problem though or you would be asking for some sort of a method to get more of them.

SENATOR KRISTENSEN: Well, we're not using retired judges at the present time for the appellate court. I mean...

SENATOR HABERMAN: This says you can.

SENATOR KRISTENSEN: Right. And this...this contemplates...once you set up a system of the appellate court, what happens if you have judges that are sick, have a heart attack and are out for six or eight weeks, you can't appoint a new judge so somehow you've got to have some replacements, some temporary people to come in and make the system work.

SENATOR HABERMAN: Senator Kristensen, you could use a retired active judge though, you don't have to use a district judge.

SENATOR KRISTENSEN: That's exactly right but...

SENATOR HABERMAN: But you want to use both.

SENATOR KRISTENSEN: I want the flexibility to be able to use both, yes.

SENATOR HABERMAN: Thank you, Senator Kristensen.

PRESIDENT MOUL: Thank you, Senator Haberman. Seeing no one else wishing to speak on this amendment, do you have closing, Senator Kristensen? Closing is waived. We will proceed to vote on the Kristensen amendment to LB 732. All those in favor