

the first two alternatives, and that would be not to make any changes or put an odd number in Madison County, the other alternative would be to put an even number in Madison County. Senator Beutler, what do you think would...the suits that would be possible if we gave an even number to Madison County? And again to set the parameters, that would mean that the Legislature is following the court's dictate by saying Madison County must be a district in and among itself, and it would be. Madison County would have a representative, though not from that county, for two years, and District 19 and Districts 17 and 15, that have had elections, would still maintain their district boundaries and would still have the certificate election holders. What would be the possible suit then that could put us in jeopardy? What would happen under that scenario?

SENATOR BEUTLER: Senator, I'm not sure I can adequately respond to that, because I can't...I can't follow, I can't predict what the court would do in that particular situation. I really, I really feel lost on what their thinking would be on that.

SENATOR BERNARD-STEVENS: Many of us do, Chris, as you know. Would it be fair to say that there would not, in your...and again, none of us know, but would it be fair to say that the chances of someone in District 19 filing suit would be, for the most part, removed, if they still had their district? I would think the answer to that would be yes. And would Madison County sue? Well, that's a possibility. Again, I'm talking about there's an 18 number. That's a possibility. Madison County could come forward and say, wait a minute, Legislature, you're not following what the court said in the Day case, you gave us our district, but we don't have a senator from our district that's elected, that's not right. And I think now we're getting on grounds where maybe the state is in a more defensible position. Now we're on grounds where we can argue, wait a minute, we followed what the court said. We fixed the constitutionality that you said that we had to fix, by making Madison County a district by itself. We eliminated some of the other possibilities of lawsuits by keeping the other districts so that we don't have those countersuits. It seems to me that of all of the options that have been put before us and that we'll have put before us there are...there is really only one option that gives us the best chance of going through legally to success, and that is not the plan that's before us at this time. And I think the discussion needs to be focused on what happens when we agree with the plan, and what are the scenarios that