

increase.

SENATOR WESELY: I am for the Withem amendment, now...now that I understand it. I was...I am just appalled that there is an attempt to try and bypass the statutes and use the appropriations process to do a salary increase for judges. It is a long tradition that we've had and what I thought was always required of us was that we took a statute and amended it, and set in statute the judges salaries. Now we did make a change when I first was down here about ten years ago that consolidated. Once we had to have a bill for the district attor...judges, county judges, workmen's comp judges, and you know we had everyone of them, we came in and we fought over that, and we came back with a plan where there was a percentage based off the Supreme Court, and then they got a percent, so then we didn't have to have a different bill for everyone of these judges. That made sense to me. But now the next step of just throwing out the statutes and what we have in place in terms of what the salaries will be, and then just using the appropriations process seems absolutely wrong to me. You know, I suppose if I was talking about the salary of the Legislature, I'd feel differently, but since ours isn't even in statute, it is in the Constitution, in the Constitution where we have to turn to the people and haven't had any luck in that except once in I don't know how many decades, I'm particularly sensitive, perhaps, to that. So although I would support a salary increase for the judges, I will not support a salary increase in the manner in which it is being offered. I want to commend Senator Withem for offering the amendment and it does make, you know, sense to me that we take it in this manner. And I don't know if Senator Wehrbein is going to talk about where the bill is in committee, or whether that's going to get done this session or not, but I'd like to know what the Appropriations Committee, what their strategy is on dealing with this. But I, for one, stand again in support the Legislature as an institution which should be able to determine the salaries, and do it not just through the appropriations process, but when...where judges are concerned, it ought to be a statutory process. I mean part of the thing that we are talking about here is that the statute with the salaries in it would simply be ignored, and it would be moot, that it would be nonconsequential, and what it'd be like, we were talking about the Warner amendment here on the one issue where statutes meant nothing, it was appropriations meant every thing. Well, you know, I am sorry but I think laws do mean something. I think the statutes do mean something, and they