

talking about. Had there been a bill introduced, been prioritized, gone through General File, gone through Select File, we would have known that. Going to draw an analogy, and it probably isn't a perfect one, but it is one that I know Senator Kristensen will understand because it comes from Transportation Committee domain, we had a debate on this last Thursday. I've often wondered, and just never got around to check on it, what happened to our gas tax, after the variable gas tax bill was passed. It was passed, went effective in 1980. Prior to that time, there had to be a bill passed in the Legislature to change the gas tax rate, or it stayed solid. So from 1973 to 1979, that rate went from 8 1/2 cents up to 10 1/2 cents. The variable tax rate went into effect in 1980, and it immediately jumped about 3 cents per gallon because then the Appropriations Committee passes a budget and the Board of Equalization sets that. Today we have a gas tax rate of 24 cents, almost two and a half times what it was back before the variable gas tax rate passed. Because we found out on Thursday, when things are a matter of appropriations, it is easier to...and the policy decision that follows, it is easier to have the money spent. I don't want to see that happen in judicial pay raises. I think it is a matter that the Legislature needs to keep control of. I am finding in talking to senators that people don't really understand what this amendment does. This amendment does not take the pay raise out of this bill. There will be a pay raise in this bill. This bill will carry the appropriation for the pay raise if we amend substantive language in, and I passed out the statute, and you have that on your desk, Section 24-201.01, that's what the statute says. If this amendment doesn't pass and 394 does pass in its current form, and nothing else happens, what you will have is an appropriation bill, 394, that appropriates more money for judges salary than the statute will allow. Keep that in mind. The statute says this is the salary. The appropriations bill, LB 394, says a higher amount will be appropriated. Why my amendment does is very simply, is called safety net language, maybe we haven't had very many examples of it in recent years. This is safety net language that says if an amendment to Section 24-201.01 passes,...

SENATOR CROSBY: One minute.

SPEAKER WITHEM: ...we will have the higher appropriation. If it doesn't pass, we won't. Now I know, again Senator Robinson is back now, he is talking about the various issues involved in