

this amendment if you would turn to page 9 of your bill if you want to follow, instead of the language saying when this vacancy occurs that the Supreme Court shall after consultation with lawyers of the judicial district as it deems appropriate, I would strike the words "as it deems appropriate". Then after the word "with" insert the words, "a representative sampling of the". Then the language would read, the Supreme Court shall after consultation with a representative sampling of the lawyers of the district. I'm not trying to tie it down by saying a certain percentage of the lawyers or anything like that. I'm leaving it to the discretion of the Supreme Court to determine what constitutes a sampling. But with language of this kind we make it clear that we're looking for something more than maybe two or three lawyers to be talked to because they're parts of the in crowd or any of the other types of things that cause people concern when language allows a small group or an elite group to be the ones talked to. This language, I think, leaves the court all of the discretion and the flexibility that it needs but it would be more inclusive, in my opinion, than the language that is currently in LB 189. I would like to ask Senator Withem a question on this particular amendment. Senator Withem...

PRESIDENT ROBAK: Senator Withem.

SPEAKER WITHEM: Yes.

SENATOR CHAMBERS: You are the sponsor of 189 and had you said earlier when we were having a little discussion that this amendment does not cause you any concern?

SPEAKER WITHEM: Let me make sure I have been understanding of it. My understanding of the current language is that there is vague language that there will be discussion with attorneys which could either be construed as talking to every attorney or very few or your favorite attorney. What you're trying to do is add some precision and a methodology as to how this discussion will take place. If that is the correct understanding and unless I am confronted with information that would lead me to believe otherwise, I think it's a good amendment.

SENATOR CHAMBERS: Thank you. And, Madam President, I'm not going to take all of my time but I'm prepared to answer any questions that anybody would have, but I would remind you that we have returned the bill and amended it so in any case it's