

financing of a judicial system requires considerable revenue. And unless we can have the advantage of relying on their opinions and their decisions, we quite frankly are misspending our tax money on them. And I think the Supreme Court, quite frankly, was in error in making its decision. Its decision certainly was contrary to efficiency in government and in the judiciary, and I think I have to dissent from Senator Kristensen's opinion that the Supreme Court may look unfavorably on this amendment and the provisions of it. I think they're bound by it. I think under the Constitution, the Legislature has the power to establish jurisdictional matters and procedural matters such as this. And I would urge the members of the body to support Senator Lindsay's amendment.

SENATOR BERNARD-STEVENS: Thank you, Senator Matzke. Senator Chambers followed by Senators Kristensen, Beutler, Dierks and Brown.

SENATOR CHAMBERS: Mr. President, first of all, if you look at Senator Lindsay's amendment, you will see on the first page...this is existing language, in line 5 we use the word "may" in talking about when the Court of Appeals shall...when there is one of their memorandum opinions. You talk about the kinds of things that may be taken into consideration by the court, and that the order that they issue may be accompanied by memorandum opinion. Well, if we're going to tell them what to do, we should say, this shall be the case and this shall be what they shall consider. But we didn't want to step into that area of trying to dictate to the court what they shall do when we're not sure. But I want to ask this question of Senator Matzke, because, Senator Matzke, you said you didn't think the Supreme Court would look with disapproval on this. I'd like to ask you a question or two if I may.

SENATOR BERNARD-STEVENS: Senator Matzke.

SENATOR MATZKE: Yes, Senator Chambers.

SENATOR CHAMBERS: Senator Matzke, did this have a public hearing? Was this a subject of a bill, this amendment?

SENATOR MATZKE: No, I don't believe it was.

SENATOR CHAMBERS: So there was no public hearing?