

Retirement Committee.

SENATOR CROSBY: Time. Thank you, Senator Witek. Senator Chambers on the Beutler amendment.

SENATOR CHAMBERS: Madam President and members of the Legislature, Senator Witek, see what you think of this since you're supporting Senator Beutler. You're kind of the swing vote on everything today. I think there's only one person in the universe on whom the Governor and the Attorney General would share an opinion and that's me and I don't want the job. Neither one of them has enough respect for the other to accept either one's recommendation about anything. So Senator Beutler's offering sounds alluring, but it's impractical. Even if they could agree on an individual, I don't think he or she could do the job because if it's not me, we'd have to go out to Wyuka and dig them up. So there is no way that that can be done. Thirdly, anybody that they did agree on, I would not find to be acceptable. The person would have to be something like a mixture of lettuce, vanilla, and mayonnaise, in other words, so bland that they all but don't exist. What Senator Beutler is looking at again is the difficulty confronting us, but he'd like to find a way for us to avoid having to deal with it. If the matter had stayed in the box and the box had stayed in the closet and the closet had remained in darkness and we had never brought the matter to light, that's one thing. We could say we didn't know. But now we know. It's out here and we cannot send it back to oblivion from whence it came. And since we are the policymaking body of this state and we have to make decisions when times comes for a decision to be made, we cannot avoid making one in this instance even if it's difficult. That's why they pay us \$12,000 a year. We have to do something to earn that money. We're put in the position finally, colleagues, of a trial judge. An appellate court can take all the time they choose to look at something, to think about it, and maybe decide not to do anything at all. The trial judge must make a decision even if wrong. The trial judge can never say, I don't know which way to go so I won't decide. We as a Legislature on this issue are like the trial judge. We are not in a position now to say we just don't want to decide and, therefore, we won't decide. We don't want to decide but we have to. And I don't think the decision can be that we will do nothing. I believe this resolution is going to be adopted. I don't see any way out of it. A point can be reached on occasion when we separate our