

March 3, 1980

LB 730

understanding that the Bar Association itself is going to take a hard look at the overall problem in the interim and come back to me with their own thoughts and comments. They, too, recognize that some problems do exist in the way we nominate judges.

SENATOR MURPHY: Thank you.

SPEAKER MARVEL: Is there any further discussion on the bill? The motion is the adoption of the Johnson amendment to LB 730. Is that the motion?

SENATOR JOHNSON: That is the motion, Mr. Speaker.

SPEAKER MARVEL: All those in favor vote aye, opposed no. The motion is on the Johnson amendment. Record the vote.

CLERK: 25 ayes, 0 nays on adoption of Senator Johnson's amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Now, Senator Johnson, do you want to move the bill as amended? Senator Lamb.

SENATOR LAMB: Mr. Speaker and members of the Legislature, I have had some correspondence in regard to this bill, some objections by lawyers and judge and I'm not quite sure exactly what my problem is. Senator Johnson, I'm not quite sure what the amendment does to the bill as it was originally introduced. The objection...one of the objections is that the bill requires the commission members to take an oath to support all candidates who believe they are sufficiently qualified. The commissions have traditionally been the sifting committee which eliminates some candidates and recommends others. Now my question is, does your amendment change this part of the bill?

SENATOR JOHNSON: Mr. Speaker, if I might respond to Senator Lamb's question, yes, my amendment specifically removes from the bill the requirement that the nominating commission send to the Governor the names of all qualified people. It still allows a sifting process. Now you had asked me about the oath of office. Interestingly enough, when I prepared my amendment, Senator Lamb, I frankly forgot to remove from the oath of office the requirement that the names of all qualified persons be sent to the Governor. That was an oversight on my part. I intend to correct that on Select File. You have my word for that and it shall be done. In other words, my amendment didn't quite clean up the problem.