

March 4, 1980

LB 82

PRESIDENT: Senator Lewis is here. Okay, we are all here. Proceed then, Mr. Clerk, with a roll call vote. The question is the Vickers amendment to LB 82. Proceed then, Mr. Clerk.

CLERK: (Read roll call vote found on pages 970-971 of the Legislative Journal.) 20 ayes, 19 nays, Mr. President.

PRESIDENT: Motion fails. Are there any other amendments on the desk?

CLERK: Yes, sir. Senator Chambers now moves to amend the bill. On page 3, line 23, strike the language "without loss of salary". Okay, in lieu of that, Mr. President, that is not an amendment.

PRESIDENT: All right, that has been withdrawn or removed. Read another amendment.

CLERK: Senator Chambers moves to amend the bill. (Read Chambers amendment found on page 971 of the Legislative Journal.)

PRESIDENT: Okay, a motion to raise the Call. The Call is raised. The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, the amendment that I was going to offer would have said that a judge under indictment would be suspended but allowed to continue to receiving salary and I was going to cut out the salary, but what I think ought to happen is that there would be no suspension except in the case of a physical disability or during an appeal. Now if the body feels that once an indictment is brought down, that the judge rather than being removed from office should be suspended, that could be added. But here is the question that I want the members to consider. First, let me tell you what the bill allows, a six month suspension of a judge if it is not for a physical disability. What could the judge have done which is so bad that it would warrant a six months public suspension but not bad enough to warrant removal from the bench? If it is not a physical disability and the judge commits an infraction, violation or whatever, which would justify suspension from the bench for six months, I think that offense, whatever it is, would warrant his or her removal from the bench. We are talking again about how the public perceives the judiciary. I don't know what Senator Lewis was referring to or what he was talking about when he talked about personal attacks on judges and painting the whole judiciary a certain way.