

January 8, 1986

considered together; 11 and 12 separately, okay, that's fine, either way.

PRESIDENT: Very well. Without objection, the Chair rules that the question be so divided. We will proceed then with the consideration of numbers 1, 2 and 3. Senator Beutler.

SENATOR BEUTLER: Mr. President and members of the Legislature, Sections 1, 2 and 3 are taken directly from the Code of the U.S. House of Representatives and are basically broad provisions, general provisions that are there as general guidelines to us all in terms of our conduct. It is not unusual for this body in this state to address and require the public or require the other public officers similar kinds...or to put into effect similar kinds of rules for them. For example, the people of the state, in the Nebraska Constitution, and I have passed this out to you, have said with regard to our judiciary branch that they are prohibited from conduct prejudicial to the administration of justice that brings the judicial office into disrepute. So this is the same kind of provision basically as that type of provision. We also have that in our statutes. The Legislature, itself, has said with regard to judges, they have incorporated that provision into our statutes. That is passed out to you and you can look at that on the exhibits also. The Bar Association, all lawyers, are also regulated by the same kind of provision and I have passed that out to you also and you can look at the Bar Association standards. Lawyers are prohibited, for example, from engaging in any conduct that adversely reflects on the fitness to practice law. It is these kinds of provisions that are from time to time necessary in order to give whatever enforcement authority you have the opportunity to look at all situations and including some unanticipated situations and apply rules that are broadly written. I think you have to remember that these are not criminal provisions. These are in the nature of civil provisions which makes them a little bit different from criminal provisions. But those are the first three provisions. They are general in nature. They are taken directly from a code already in place and you can read clearly what the provisions say. Thank you.

PRESIDENT: Senator Marsh.

SENATOR MARSH: I wish to speak to item 4, not the first three.