

March 4, 1980

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who pleads guilty or no contest to a felony would be immediately removed and that be an amendment which I can submit even though I haven't woven it into all of the language of the committee amendment?

PRESIDENT: You haven't drafted it yet but that is the sense of it?

SENATOR CHAMBERS: Right. That is the amendment that I am offering then. It relates to the judge who has pleaded guilty or no contest to a felony being removed. So here is the way the amendment will read and I can write this out. After the language which says, "pleads guilty or no contest", then I would add the words, "shall be removed from office by the Supreme Court by the ones who would do the removing."

PRESIDENT: What you want to know is that if you think that would be a proper amendment to the existing wording of the proposed amendment?

SENATOR CHAMBERS: Yes, and then the bill drafter can put it into technical form so that it will be clear. It does not apply to the situation where the judge goes to trial.

PRESIDENT: Yes, I understand. It is kind of hard to debate a proposed amendment though without the exact wording of the amendment and I think that the body would want to see the wording before it is before the House, Senator Chambers. I think that is the only way we could do it and I think you would agree to that. You would not want anybody to bring up an amendment any other way...so if you would have that wording prepared, Senator Chambers. The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I would just like to talk for a moment about Senator Chambers' proposal. You know we have always had the proposition in this country that we treat everybody as individuals and we treat all individuals alike or similarly, and I don't think just because somebody is a judge that we should treat them differently than we would treat the ordinary defendant and basically I think that is what Senator Chambers is suggesting. What he is saying, in effect, is that once a judge pleads guilty or no contest, that he should be immediately removed from office. Now what this bill says is that he is removed from office when the conviction becomes final. Now let's focus for a minute on the difference that we are talking about.

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