

March 24, 1981

LB 475

SENATOR VICKERS: Senator Chambers, on pages 8 and 9 of LB 475 where the new language indicates that they can be reprimanded, censured, suspended without pay for a definite period of time not to exceed six months on both, in two places, on page 8 and one place on page 9, can you explain to me how they can be suspended at one instance without pay but over here in the section you are attempting to amend it says, "without loss of salary?"

SENATOR CHAMBERS: You mean, how, if the Constitution prohibits the taking of a salary from an official or what?

SENATOR VICKERS: Yes. On one instance it says they are going to get suspended without pay. They are not going to get any pay and then on the section on page 10 in Section 9 it says "without loss of salary." Isn't that a contradiction in terms?

SENATOR CHAMBERS: Well what they are doing is setting up two different categories, a situation where there has been a finding by this commission and then pursuant to whoever makes the final decision, a part of the punishment can be a suspension without pay for the six months. We objected to that.

SENATOR VICKERS: In other words, what it is saying is that the commission cannot withhold any of their salary until they make their decision and once they make their decision then the only length of time they can suspend them without pay is for six months. Six months is the limit.

SENATOR CHAMBERS: That is right, based on the language here that is the limit.

SENATOR VICKERS: Thank you, Senator Chambers.

SENATOR CHAMBERS: But the one we are dealing with on page 10 relates to an indictment, not a final determination of a complaint or a grievance against a judge. So they are saying in that instance, he should continue to be paid.

SENATOR VICKERS: Thank you, Senator Chambers. It seems to me what we are saying is that we are going to continue to pay you until we find out for certain, that is as far as the commission is concerned. Then if the commission finds out that it should be suspended, the maximum sentence they can put on them is only six months. I think that is rather minor myself. I am going to support Senator Chambers amendment. It seems to me that we are...first of all, I disagree that judges are not different. I think they are different. I think they have got different responsibilities and should be more aware of