

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

January 30, 2003 LB 47, 48

SENATOR BRASHEAR: Thank you, Mr. President, members of the body. LB 47 clarifies that all impeachments of state officers are to be tried as provided in Article III, Section 17 of the Nebraska Constitution. Such a clarification is intended to harmonize the statutory impeachment provisions with the constitutional impeachment provisions. Specifically, as currently written, Section 24-101 of the Nebraska Revised Statutes purports to provide the process for impeachment of members of the Nebraska Supreme Court, specifically, that the impeachment of members of the Supreme Court shall be heard by the Court of Appeals sitting en banc. However, Article III, Section 17 provides that the constitutional process for impeachment of a member of the Supreme Court shall proceed by a court of impeachment to be assembled. The court of impeachment is a panel of seven district court judges, chosen at random by the clerk of the district court where the Capitol is located. LB 47 would amend Section 24-101 to cross-reference the appropriate constitutional process for such an impeachment. LB 47 was advanced unanimously by those present at the time of the hearing by your Judiciary Committee. I urge its advancement. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. You've heard the opening on LB 47. Those wishing to speak? I see no lights on. Senator Brashear, did you wish to close? Senator Brashear waives that opportunity to close. The question before the body is advancement of LB 47. All in favor of that motion vote aye, opposed nay. We're voting on the advancement of LB 47 to E & R Initial. Have you all voted who care to? Record please, Mr. Clerk.

ASSISTANT CLERK: 31 ayes, 0 nays on the motion to advance, Mr. President.

SENATOR CUDABACK: LB 47 does advance. Mr. Clerk, next agenda item.

ASSISTANT CLERK: LB 48, Mr. President, was introduced by Senator Brashear. (Read title.) The bill was read for the first time on January 9, referred to the Judiciary Committee.