

procedural amendments to the articles of impeachment. The next question that arose is whether or not the impeached defendant should be treated as a criminal and could not be required to testify at all. This change says that, no, the impeached official can be required to testify, but during the course of any testimony may take the Fifth Amendment. That conforms to civil law and civil proceedings. The next question that arose was whether or not the burden of proof should be that which is used in a criminal case, to wit, beyond a reasonable doubt or instead, some lesser burden of proof. This change says that the burden of proof shall be that of clear and convincing evidence.

SPEAKER NICHOL: Time is up.

SENATOR V. JOHNSON: Thank you.

SPEAKER NICHOL: Senator DeCamp, please. The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. We're voting on ceasing debate. Record, Mr. Clerk.

CLERK: 31 ayes, 0 nays to cease debate, Mr. President.

SPEAKER NICHOL: Debate has ceased. Senator Johnson, do you wish to close?

SENATOR V. JOHNSON: Mr. Speaker, I'm asking that the germaneness rule be suspended, 30 votes will be required, once suspended we can quickly take up LR 12 and I'll answer any questions that you might have about it.

SPEAKER NICHOL: The motion is to suspend the rules. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 30 ayes, 7 nays, Mr. President, on the motion to suspend rules to consider the amendment.

SPEAKER NICHOL: Senator Vard, now on the bill.

SENATOR V. JOHNSON: Mr. Speaker, members of the Legislature, I have addressed the major changes in the impeachment process that would occur by virtue of this particular amendment. I'm not going to spend any more time on it. Again, you have on your desk a copy of the committee statement to the bill. If Senator Rupp wishes to make any remarks, he can. This is a very straightforward change to the Nebraska Constitution and it will