

are is that they do make some decisions with the lawyers as the impeachment process is going on and...

SENATOR HABERMAN: Which lawyers, on whose side?

SENATOR V. JOHNSON: For the Legislature. It's the Legislature brings the charges against the official and the case managers literally have to make some, periodically will have to make some suggestions about evidence that should be utilized or about whether or not the impeachment resolution should have some technical changes.

SENATOR HABERMAN: Do they have to be attorneys?

SENATOR V. JOHNSON: Not at all.

SENATOR HABERMAN: Don't you think that this is...if it goes to the court and it's up to the Supreme Court, and you're saying they should act fast and quick and honest and sincere and all this sort of stuff, why do you want to throw in having two state senators sit there for?

SENATOR V. JOHNSON: Well, that's been the practice. That's been the practice.

SENATOR HABERMAN: But you said it's been the practice since 1809, but you still want to leave it in there but you can't defend why leaving it in there.

SENATOR V. JOHNSON: No, it's been the practice, that's what was used, but to be truthful with you, when we did the impeachment two years ago there was real questions raised as to whether or not that should be the continuing practice and that's not a matter of statute nor a matter of the Nebraska Constitution. So the rationale is to make that practice now a part of the Constitution to allow two senators to manage the case that has been brought by the Legislature against whomever the unfortunate impeached defendant happens to be.

SENATOR HABERMAN: What do you mean by the conflict of interest provision would be stricken?

SPEAKER NICHOL: One minute.

SENATOR V. JOHNSON: Well the conflict of interest provision dealt with again, an impeachable offense and the Constitutional