

if you are going to be represented the only person who can do it is a lawyer. So what this amendment does is it is designed to say you don't have to use a lawyer. You can have any person come in and help you out and if the person does a poor job well that is the way it goes but you can have anybody come and help you out. I would move the amendment.

SPEAKER MARVEL: Okay, the motion is the adoption of the Johnson amendment to LB 410. Senator Landis.

SENATOR LANDIS: I just want to make a brief statement in favor of the amendment. I support it a friendly amendment, the Johnson amendment in this case. I can tell you that this occurs on both sides of the question. Either a claimant or an employer may wish to call in a representative who is not an attorney. There are now businesses, particularly in Omaha, that are run by nonlawyers that advise employers on how to manage unemployment compensation and they also offer services of coming into one of these hearings and representing the business but they are not attorneys. Unless Vard's language is passed, those kinds of fiscal agents would also be excluded and in other words, the projected Johnson amendment is even-handed and can be applied both to claimants or employees and to employers. They are both in situations where they might want the relief that the Johnson amendment offers.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Vickers.

SENATOR VICKERS: Mr. President, members, I wonder if Senator Johnson would respond to a question, please. Senator Johnson, first of all I commend you and Senator Landis for supporting this type of an amendment. It is pretty obvious this amendment was not brought to you by the Bar Association I would assume.

SENATOR V. JOHNSON: No.

SENATOR VICKERS: But I am wondering, the existing statute, the existing language has the phrase, "or other duly authorized agent," and wouldn't that phrase "other duly authorized agent" allow an individual to have a friend or a paralegal or somebody other than an attorney represent them at the present time?

SENATOR V. JOHNSON: Senator Vickers, you would think so but apparently it has been construed not to be the case. Now Senator Landis wants to comment on that. If you will just give him ... because he is more, he knows more about this than do I.