

the consent calendar, where I believe it is, the county attorneys have signed off on it, as I said, a least a couple of years ago when Senator Landis negotiated this specific issue. With that, I would urge the body to support the bill. Senator Chambers, does have an amendment to it. I would support that as well. Thank you, Mr. President.

SPEAKER BAACK: Mr. Clerk, an amendment.

CLERK: Senator Chambers would move to amend, Mr. President. (See FA72 on page 1446 of the Legislative Journal.)

SPEAKER BAACK: Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, this amendment is LB 678, which is in your bill book, and the committee amendment, which had been advanced from the Judiciary Committee without a dissenting vote. It had been on the consent calendar before among the bills that were advanced without a dissent but had a committee amendment. The committee...I will tell you what the bill, itself, does first, and there was no opposition to it during the hearing. The language, this language would be added to the part of the statute that relates to the appointment of attorneys in postconviction proceedings. The statute already allows the appointment to occur, and I am not changing any of that. I am adding this language, "The attorney or attorneys appointed shall be competent and shall provide effective counsel." I'd discussed this with Senator Hohenstein because I felt he might have an interest in it, he's a former prosecutor, and if I could make it clear to him, I thought we might reduce the amount of discussion on Senator Hall's bill. But what occurs on occasion is that a person who is not trained or competent in the area where a defendant needs representation will be assigned anyway and that person cannot prepare in time or provide effective counsel. This will do two things, it will cause the court to appoint somebody who is competent in that area and make it possible for an attorney, who feels that the appointment is outside the realm of his or her expertise, can at least make that point. The other part of the amendment is one which I discussed with Senator Kristensen. It is made necessary by the enactment of the appellate court bill. In the original law before the appellate court bill was passed, there are three or four sections of statute related to the denial of a motion by the court. Under the original law, that constituted a final order and it could be appealed. When the