

May 4, 1981

LB 346

recognize that mental illness is a condition that to a large extent is treatable through drugs. So it seemed, and finally we realize that there is a tremendous amount of judgment call, there is a lot of discretion, a lot of leeway in defining who really is mentally ill and who is not mentally ill or who is mentally deficient and who is not mentally deficient. I took a case to the Nebraska Supreme Court a couple of years ago regarding an older couple's ability to decide if whether they were going to get married or not. They were both somewhat retarded and I didn't think it was a close call at all but somebody else thought it was a very close call and that is why I ended up in the Nebraska Supreme Court on the subject. In my opinion, this is an archaic provision which really ought not to be in the law because we have other portions of the law that more than adequately cover the subject, and it is for that reason I now take the opportunity to offer you the amendment to remove this particular provision from the termination statutes.

PRESIDENT: The question is the adoption of the Johnson amendment to LB 346. All those in favor vote aye, opposed nay. Senator Johnson.

SENATOR JOHNSON: Yes, I am going to ask at this time for a Call of the House.

PRESIDENT: They won't vote so you just as well. The question then is, shall the House go under Call? All those in favor vote aye, opposed nay. Record the vote.

CLERK: 21 ayes, 0 nays to go under Call, Mr. President.

PRESIDENT: The House is under Call. Sergeant at Arms will see that all members are back at their desks, all unauthorized personnel leave the floor. The House is under Call. Record your presence. All members will record their presence. While we are waiting for everyone to register your presence, the Chair would like to introduce a guest of Senator Wesely's, Steve Chick, a student from Robin Mickle, ninth grader, and he is seated under the North balcony. Steve, will you stand and be recognized? Welcome to your Unicameral Legislature. Some of the members that we are looking for are Senator Fitzgerald, Senator Dworak, Senator Lamb, Senator Higgins, Senator Newell, Senator Warner, Senator Cullar. We have about three or four. Do you want to wait or do you want... Senator Johnson, what do you wish to do?

SENATOR V. JOHNSON: I think I am going to ask for a roll call vote at this juncture. I think, if I might, since there were so many folks gone just take a second to explain.