

the appointment of the attorney. We have made an effort in this Legislature to upgrade the quality of the judiciary. We have put people on the bench right now. I am really hoping that we will be reasonable with 603 that is coming up shortly as an incentive to keep good people on the bench but the reason we need them there I think is to avoid the expense of instituting elaborate procedures instead of relying to some extent on the discretion and the good judgment of the judge involved in the case and that is what we need here I think. I think that much of what Senator Johnson is recommending is good. We should proceed with it but perhaps proceed a little more cautiously than he has recommended by not requiring the appointment of the attorney. I think, Mr. Speaker, that I will end on that note. Thank you.

PRESIDENT: The Chair recognizes Senator Koch.

SENATOR KOCH: Mr. President and members of the body, I rise to support Senator Beutler's amendments. I know Mr. Brown. He is a personal friend of mine and he was in my office the other day and he represents a group of parents as he explains to you in the handout by Senator Burrows. We are concerned about the total substance of LB 428 and I am concerned also as I read his remarks, and since I have known Mr. Brown for many years as an educator and a coach and a friend, I think that this body should at least give credence to Senator Beutler's amendments realizing that Senator Johnson has worked hard on this piece of legislation. I would like to have Senator Johnson reply to these amendments and also to some comments that were placed on the desk from Mr. Brown, particularly those comments of Judge McGowan who obviously handles a large number of cases each year. And additionally other comments were made by items clear through the section of item #5. Senator Johnson, would you reply to those items there, please, for me?

PRESIDENT: The Chair recognizes Senator Vard Johnson.

SENATOR VARD JOHNSON: Senator Koch is referring to one that Senator Burrows has on your desk and it comes from Marvin Brown, the President of Mental Retardation Association. The first point that Mr. Brown makes is he does take a statement from Judge McGowan who is one of the two county judges in Douglas County who indicates, who testified to the Judiciary Committee on March 3, 1981 that as far as he was concerned we ought not to change the existing law because everything that we want to do with LB 428 as it was then written could be done under existing law. Judge McGowan and I have certainly discussed LB 428 in some