

PRESIDENT: The Chair recognizes Senator Higgins.

SENATOR HIGGINS: Mr. President, I already told Senator Johnson this morning that I had voted the law all along with him on this bill until I received this long handout that we received this morning from I think it was the Association for the Retarded of America. In it they quoted a very good friend of mine, Judge Bob McGowan in Omaha, and I have a great deal of respect for that judge and his judgment so I called him and I told him what the handout said and I said, "Bob, I have voted for this bill all along and I certainly don't want to vote in any way, shape, or form to harm the mentally retarded in their rights", so I read him what was quoted. And he said, "Marge, that was absolutely true at the hearing. Since the hearing", he said, "I have visited with Senator Johnson and another judge in Lincoln", I forgot his name now, "also has been working with Senator Johnson", and he said, "much of what I objected to in that bill has been taken out". And he said, "My official position right now is this, I am neither for it nor am I against it". He said, "You vote your conscience", but he said, "What I objected to at the hearing has pretty much been resolved and taken out, so you do what you think is right." If Judge McGowan has changed his mind since Senator Johnson has amended this bill so much, I am wondering if the other people quoted in this handout have not also changed their minds since the public hearing. But I think in all fairness to the people that are being quoted and in fairness to Senator Johnson that I should share that information with you. Thank you, Senator.

PRESIDENT: The Chair recognizes Senator Sieck.

SENATOR SIECK: Mr. President, members of the body, I am opposed to the Beutler amendment. Anytime you take "shall" out and put "may", you really soften the bill up and you don't get the job done. I do have a son that is mentally retarded and I am his guardian but what if something would happen to me and he doesn't have any guardianship? I would sure want him to be able to have the court give him a good guardian and I just feel that "shall" has to be in there. I just can't see no other way. I do feel that the bill is proper. The visitor is another thing that I feel is very important. He should have someone to act as a visitor, as his spokesman, so to speak, besides an attorney, and I just think that is important. I think those people that oppose the bill would want that. I just can't understand it. So I oppose the amendment. Thank you.

PRESIDENT: The Chair recognizes Senator Newell. The question has been called for. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye,