

March 18, 1982

LB 827, 69, 359, 428

PRESIDENT: LB 827 passes. The next bill on Final Reading, Mr. Clerk, is LB 69.

CLERK: (Read LB 69 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 69 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read as found on page 1253, Legislative Journal.) 34 ayes, 11 nays, 2 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 69 passes. We will proceed then with the Final Reading of LB 359, Mr. Clerk.

CLERK: (Read LB 359 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 359 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 1253 and 1254, Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 359 passes. The next bill on Final Reading is LB 428, Mr. Clerk.

CLERK: Mr. President, a motion on the desk.

PRESIDENT: Read the motion.

CLERK: Senator Beutler would move to return, Mr. President, LB 428 to Select File for specific amendment. (Read Beutler amendment found on page 1254, Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I think there is an important question that we should discuss before we proceed to pass this bill and that is a question that this Legislature as I understand it discussed a number of years ago when it passed the Uniform Probate Code, and the basic question that I am addressing with this amendment is whether in the case of guardianships the court should be required to appoint an attorney for each and every incapacitated person that comes before it or whether that should be left to the court's discretion after reviewing the facts of