

the concerns. I'm willing to look at those, but not at this time with this bill. It is a much more comprehensive look that is required. This is not the time and place to do that. I'd ask your support for this bill.

SPEAKER NICHOL: Senator Higgins.

SENATOR HIGGINS: Thank you, Mr. President. During Senator Chambers' talk we were holding an Executive Session for one of our committee hearings under the balcony. As a result, I was unable to hear any of the debate on this bill. Having been absent last week with the flu, I was hesitant to vote. So I did not vote to kill the bill and I don't know yet if I will vote to advance the bill. Senator Wesely gave me a handout that DPI, I guess, gave him. On the left hand side, maybe the rest of you have it, it shows the rights, then the Mental Health Board commitment which is contained in this bill, then the drug user commitments. The first thing that hits me is representation by counsel. If I've got this right, Senator Wesely, if I'm wrong, correct me. The Mental Health Board commitment would be the part that is in the Public Health bill. It says, shall have the right to be represented. But under the present law it says they shall be represented. If you want to interrupt me, go ahead.

SENATOR WESELY: I can answer that.

SENATOR HIGGINS: Yes, I mean anytime...I'm misunderstanding something here. What I'm saying is the Public Health and Welfare bill says, shall have the right to be represented, but the present law says they will, by golly, be represented. Am I misinterpreting that?

SENATOR WESELY: I think in a sense. Under the Mental Health Commitment Act, if you don't mind, Senator Higgins, the reason it says, shall have the right to be represented, is sometimes there is voluntary commitments that go through that process. So these people may not want counsel. They may say, I'm coming in because I have a problem and I want to be committed and get services. So that is why it is voluntary. They have every right to have representation and they have that.

SENATOR HIGGINS: Thank you. The next one on that same sheet, appointment of counsel. It says, board to pay if subject indigent. Under the present law it says appointed