

complained on it. This amendment came from the Health Department. It's again just a correctional matter. If the Body would choose, I would hope that they would add it, that the bill would be pushed on through. We should have done it a year ago. It's merely giving us all an opportunity to have all nursing homes licensed and under the jurisdiction of the Health Department to license and these homes are all numbered in LB513. This amendment, of course, is just again clarifying the language because of the Health Department. I would move that LB513 be brought back for this amendment.

CLERK: The amendment is found on page 220 of the Legislative Journal.

SENATOR KENNEDY: I did pass out to all of you a week ago and I don't feel there's any objections, certainly I've run down many complaints that I've found. I would move that LB513 be moved back for this specific amendment.

PRESIDENT: Senator Kennedy is asking unanimous consent to unbracket LB513 on E & R for Engrossing. Are there objections to unbracketing the bill? Any objections to unbracketing LB513. Hearing none, so ordered then. The bill is unbracketed. Now we need a motion to bring it back. Senator Kennedy.

SENATOR KENNEDY: I would move to bring back LB513.

PRESIDENT: The motion now is to return LB513 to Select File for specific amendment. Is there a need for discussion on that motion? All those in favor of returning the bill, vote aye. All those opposed, vote no. The motion is to return LB513 to Select File for a specific amendment. That motion still does require 25 votes. Thank you. The Clerk will record.

CLERK: 25 ayes, no nays, Mr. President.

PRESIDENT: LB513 is now on Select File. Senator Kennedy, back to you. Go ahead.

SENATOR KENNEDY: Maybe I should ask our Clerk to read this amendment. I don't feel it's that complicated but all this does is clarify the language so that our Health Department does have complete control of the licensing, the storage of drugs, etc. so that it matches the federal end of state laws. There's nothing else in this particular amendment. I would move that this amendment be adopted.

PRESIDENT: Excuse me. Let me ask the Body. Do you want the amendment read? Does anybody want the amendment read? Thank you. Go ahead, Senator Kennedy.

SENATOR KENNEDY: I move this amendment be adopted to LB513.

PRESIDENT: All right, Senator Kelly, do you care to be recognized?

SENATOR KELLY: Mr. President, members of the Body. I'm not sure that this amendment does what Dr. Smith and the Health Department and Senator Kennedy believes that it does. As I've read this and re-read it, I see that it does what they want. Now, I further see that it allows people that are operating custodial care for the elderly to dispense medicine. I believe this to be a very dangerous possibility if this is what this bill says. I recognize that it does say what Senator Kennedy and Dr. Smith says that it says. That is that it just cleans up the language at the request of the Federal Government but it may be doing away with the classification of custodial homes and making all places where the elderly are living to be nursing homes. And, I do believe this is dangerous in that fashion, that we have not been able to clarify it. We can't get anything that says this is positively not that situation.

PRESIDENT: Any further discussion of the motion. Senator Skarda. Just a minute.