

April 16, 1981

LB 95

SENATOR STONEY: Senator Cullan, under the first point defining the committee amendments, we are making a shift from the present board makeup established through the counties now to judicial districts. Can you provide the rationale why that change was made?

SENATOR CULLAN: Okay, Senator, in the...that is actually not pertaining to the bill itself, I mean to the committee amendments, that pertains to the bill but the rationale is that there are a number of smaller counties in the State of Nebraska which have mental health commitment boards and have trouble finding individuals to serve on those. For example, Grant County with a population of 1,000, there is no reason that they can't use the same mental health commitment board that is in Box Butte County because that is where the professionals come from anyway. There is not an attorney in Grant County, for example. One member of the mental health board must be an attorney. So that is one reason. The second reason is that we are concerned about the differences in procedures and practices which are used by mental health commitment boards across the state. In the survey that we did of all of the mental health commitment boards in the state and of public defenders and county attorneys, we found a very significant difference between how formal those procedures were, for example, in Omaha as compared to some other mental health commitment board in a smaller county and we are concerned that some of these counties may not be following the due process procedures as closely and as accurately as we should, and if we reduce the number of boards, then we can provide some more intense training for these individuals who are on these boards so that they know exactly what they have to do to meet due process requirements as far as commitments are concerned. So we think it will make the system considerably more manageable by reducing the number of individuals involved and allowing us to provide some good training.

SENATOR STONEY: Thank you, Uncle Sam.

PRESIDENT: Is there any further discussion on the committee amendments to LB 95? The Chair recognizes Senator Cope.

SENATOR COPE: Mr. President, members, a question of Senator Cullan please.

PRESIDENT: Senator Cullan, will you respond?

SENATOR CULLAN: Certainly, thank you.

SENATOR COPE: Senator Cullan, on the committee statement on