

eliminating that preliminary hearing. Many of the individuals we talked with felt that the preliminary hearing was unnecessary and that it was simply an additional expense in the process and really didn't do anything to protect the rights of the individual who might be committed. So we are moving from two hearings to one hearing and so I think that that will be an economy but it will also...the procedure still obviously is one I think that protects the rights of the individual who may be committed. #14 provides that immunity from prosecution is given to all treatment facility staff when they accept committed persons. Currently this protection is given by statute only to employees of the Department of Institutions. There are cases when an individual could be committed to a facility not operated by the Department of Institutions, for example, a local community based mental health facility, and so that clarifies that that same immunity will be extended to those employees. That briefly is Legislative Bill 95. I would be happy to respond to any questions and I would urge you to advance the bill.

PRESIDENT: Before we have the next speaker, the Chair would like to introduce some students from...fourth grade students from Ralston, Nebraska, Maywood and Seymour Schools, 23 students, 5 adults and Joan Breen, the teacher from Maywood, and 28 students, 5 adults and Wilma Larson, the teacher from Seymour School. They are up here in the North balcony. Would you welcome these students, the adults and the teachers? Welcome to your Unicameral. The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President, members of the Legislature, I rise in support of LB 95. As a three year member of the Public Health Committee, I can echo Senator Cullan's comments about the time we put into this legislation. We did spend a great deal of time over the interim two years ago looking at the situation. You recall at that time the controversy that arose because of the release of a number of individuals from some of our institutions. The feeling was, of course, that the time was not right to move on that issue with the emotion so high. So we continued the study this last interim and spent a great deal of time again looking at the situation, further refining the legislation, and now have before you an amended LB 95 which I think deals with many of the concerns that many people in the State of Nebraska have as to our Mental Health Commitment Act. I think one of those concerns that I can express is the fact that we have released people from our mental institutions that I believe should have been...we should have notified the mental health boards, we should have notified local