

May 11, 1981

LB 548

will enable this man to achieve some level of economic security. At the time of his death, the trust fund will revert back to the state. Some questions have been raised that we have no business getting into this area but we certainly do. This is not a case in isolation. It happens every day, every year, not only in this state but in this nation. We have had movies that address this situation such as One Flew Over The Cuckoo's Nest and really the Joe Soukup case could be straight out of that book. We have had cases where the Armed Services have experimented with soldiers exposing them to radiation. We have had cases where people who are hospitalized as terminal cancer patients were exposed to high doses of radiation so we could have radiation researched in the case of a nuclear catastrophe but without their permission and all the other things like programs like 60 Minutes has brought to our nation concerning these events, concerning those people who live in those institutions. I think the thing that we need to address more than anything else is to have a landmark type decision where everyone that is responsible for institutions and everyone who is working within them will realize that they will be held accountable for their actions and this is the only way we can do it and it is the only way that a person such as Joe Soukup could do it. He has tried just about every avenue to address his grievances and now it is in our lap, and with that closing, I would hope each of you could find in your conscience to support LB 548. Thank you.

SENATOR CLARK: Senator Kahle, the advancement of 548.

SENATOR KAHLE: Mr. President and members, I am sure this is a lost cause but I want to get something on the record, too. I think we are letting our emotions get away with us today and I want to repeat something I said a bit ago. I don't know how many thousands of people we have in institutions in Nebraska today. There are several thousand I am sure. Probably a lot more than we would like to admit we have there. And when you and I go to the doctor, we know that he is practicing on us. That is what they call it. He has a practice and you go to two or three doctors and you are liable to get two or three opinions, and what I am saying, and I want you to listen, and I want you to remember, is that the treatment that is given in our institutions today may be proven false in five to ten years or less, and what we are saying here now with this bill is that everyone of those cases has a right to put a claim against the State of Nebraska, and I just think we are making a big mistake. Whether that LSD was right or wrong, it may have been proven right. But when you go to your doctor, he is practicing on you. What do you suppose they