

they wanted to get in the first place and put it out of this committee with the added expense of paying for these people to do the reviews, expense that is above and beyond what the department has to do. I mean, it is going to be costly to the taxpayers and it is going to delay the process further and take it out of the hands of the experts and put it in the hands of this board that is likely to be provider dominated in the decisions they make, the final authority on what to do. And furthermore if the health providers lose, they can appeal to this appeal board and if they lose that they can go to the courts, and the Health Department has no such recourse. So this stacks the deck against the consumer. It stacks the deck against the public interest and again shifts the burden over on the Health Department and makes it even more difficult for them to win on some of these different issues. It makes it much easier for the provider to work through the process and get what they want and whether or not it is in the best interest of the State of Nebraska. We talked about the Health Department going under the Governor. We talked about the costs of this project. Those of you who do not support this amendment are basically calling for a contrary establishment of a new commission...well, not a new one but a commission that is going to have new authority and have new expense, going to be run counter to what we have talked about with putting these under the Governor, and that is what you would do if you don't support the amendment, and besides the fact that you are talking about gutting the certificate of need process. So I urge you very much to allow the Department under the Governor to function properly in the process that I think has worked very well to continue as it has and not to try this new approach that I have never heard of before, and try to work through what we have already got which I think is doing the job, and not allow the providers yet another advantage that the Health Department and the consumer does not have. I ask your support for the amendment.

SENATOR CLARK: The question before the House is the adoption of the Wesely amendment. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? Do you want a record vote?

SENATOR WESELY: I would like a Call of the House, please.

SENATOR CLARK: Call of the House has been requested. All in favor of a Call of the House vote aye, opposed vote nay.