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LB 428

the Beutler amendment, we have an adequate working system right now. I don't think evidence has been shown that any real change is needed in the law regarding the guardianship. We have case law written in the courts and the people that came in with this handout I provided you, I wish you would look it over carefully. It is made up by Marvin Brown and he is the President of the Mental Retardation Association that represents really parents of the Beatrice residents. Most of these are severe and profoundly retarded residents and the parents have concerns that they will not get the care in the community programs and the stability of programming that they will get in an institutional environment. I don't like to see a fight developed between the community programs and the Beatrice State Home or Redevelopmental Center. That should not exist. The fight that happened some years ago in the court cases that are discussed in this handout was a very expensive fight for the State of Nebraska. It accomplished very little. I want to see good community mental retardation programs that are adequately funded but I also want to see an institutional program that is solid, that fills the needs of the most severely profoundly retarded citizens, these citizens, many of them with multiple handicaps, that cannot fit into community programs in a reasonable way. I think no action on this bill, killing the bill, putting it off at least for a year until more rationales are developed for a need for a change. I think in this one you can apply very well the old term "if it works, don't fix it". New case laws, if this bill is passed, will have to be developed in the courts, interpretations of new language, and it leaves the courts not knowing where they are going where presently decisions, court decisions, are letting it run I think quite smoothly under the existing law. So to change it in any way I think is a mistake at this point and I think any changes that are made should be very minimum changes.

PRESIDENT: One minute, Senator.

SENATOR BURROWS: And I feel this bill goes entirely too far. If it passes, I do want to see the Beutler amendment adopted but I would urge you even upon voting for the Beutler amendment that you later reject the bill and indefinitely postpone this bill. I want, if it passes, I want to see a less harmful version passed but I think it is a mistake to move in any direction on this legislation in this session of the Legislature. Thank you.

PRESIDENT: Before we recognize the next speaker, the Chair takes pleasure in introducing some 58 eighth grade students from St. Bernadette in Omaha. They are up here in the North balcony. They are guests of Senator Labeledz. And the teachers, Sister Elizabeth and Sister Angela. Would you recognize the