

April 1, 1982

LB 761

SENATOR NICHOL: The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor signify by voting aye, opposed nay.

CLERK: Senator Nichol voting yes.

SENATOR NICHOL: Have you all voted? We are voting to cease debate. Have you all voted? Debate has not ceased. So let's go on to Senator Dworak.

SENATOR DWORAK: Senator Nichol and colleagues, I have spoke so seldom this session they can't find my microphone button. I oppose this amendment and I oppose it for several reasons. Senator Haberman hasn't quite given all the percentages as to the effect of this amendment versus if this amendment fails. Number one, Senator Hefner, you are absolutely right on target, this does cut DPI's options as to what may be given to private vendors. They do have options now that would be cut if we take this money out of there. We worked for the past three years or the three years I have been on the Appropriations Committee to try and develop some kind of parity between the regions, and it has been difficult doing that without cutting some funds that some regions already have been used to receiving. Now we are creating a disparity of that parity between the regions. Now I am not an attorney and I am not going to come up here and conclusively say that this jeopardizes the court case as far as the Beatrice State Home is concerned, but my opinion as a lay person I think it jeopardizes it. We have been looking at this sum of money for the last four or five years and have been very hesitant to take this money and use it in another way for fear that it might fly in the face of that court situation. We are definitely without question taking away some of the incentive of taking people out of the Beatrice State Home and putting them in the region. That is what this \$500,000 is reserved to do. Now I think it would be a mistake without serious consideration to adopt this amendment. I think this is a very complicated and a very sensitive area and with the amount of debate and the amount of time we have on the floor to adjudicate this, I don't think we can adequately and thoroughly be confident in our own minds that we are doing the right thing. This is kind of a drastic last minute attempt by the regions to pull this money out and give them more discretion than DPI and I think it is wrong at this time. That money is in there for a reason and I think it should be kept there and until I am convinced that that money is not needed, that in fact this will not prejudice us in that court case, I think it ought to be kept there and be kept alone. I think it is reckless