

going to get if we are writing into statute that we want them to be an advocacy agency, monitoring, evaluating and commenting on policies, programs, hearings and community actions which affect older persons, coordinate, cooperate, plan, develop one and five year area plans and budgets, comprehensive coordinated program. These are some of the things that they will be doing. Another part of the bill that is without limitation is, as I understand it and which troubles me, is that there appears to be no limitation on need, no statutory limitation based upon need, that is, if you read on page 13 of the bill, Section 23, it appears that need is left...the determination should be left to the area agency as to what they will do and who they will do it with with regard to individual services. It will simply be based on an assessment of the individual's family circumstances and the development of a service plan. So basically the bill is without a number of important limitations from my point of view. So just to summarize, first of all, I think it is philosophically incorrect to institutionalize this type of thing as opposed to helping out with individual specific programs from time to time as they are needed, picking up some of the federal programs if needed and even if you are going to institutionalize it, I think it is not the best policy to do so without certain specific need limitations and without limiting more strictly the types of functions to be performed by the area agencies and by the Department of Aging as set up. I apologize to Steve and to others for not reading the bill closer sooner. It is one of those bills that I just again didn't get around to but it was difficult for me to let it go without at least everybody on the legislative floor understanding exactly what we are doing with LB 404. Thank you.

SENATOR LAMB: Senator Fowler.

SENATOR FOWLER: Mr. President, I would not, I guess, be as upset with Senator Beutler reading a bill that was laid over from last year, has only been slightly amended this year, reading it on the...whenever he read it but reading it out to us today on the sixtieth day to inform us if his information had been a little more accurate. Fortunately I think that there are a lot of misconceptions that he has created and he may have with regards to 404 and I cannot necessarily go through all the arguments that he threw out but I think the most significant fallacy in what he is saying is that we are creating something new here. We are creating area agencies on aging. We are creating services and programs and we are not establishing any limitations on those. The history of 404 goes back to a bill introduced three years ago that then led to an interim study that produced 404. Area agencies on aging exist now. In Lincoln you can go