

fact the Business and Labor Committee that hears these bills is not a hearing body, per se, in that we don't have the ability to quickly develop all of the information that might bear upon the approval or denial of a claim. So we have a policy in place and may, as Senator Warner indicated, be funded that would allow first a claim to be placed with the Department of Social Services, and in the absence of the satisfaction of that the issue is brought to the State Claims Board. And certainly the issue is looked at in depth as it relates to statutes and policy and rules and regulations. So, if we do adopt the amendment to the amendment, I would caution you that we are putting an overlay of legislative intent on these issues and could well expose the State of Nebraska, put the State of Nebraska in a fairly defenseless position in having to pay because we have established that procedure, having to pay any and all claims that might arise out of circumstances such as this that people have been providing a foster care home. So I think we should move with caution in this area. It might well be advisable to not adopt the amendment to the amendment at this time. Thank you.

PRESIDENT: Thank you. The question is...Senator Lindsay, did you wish to close on your amendment to the committee amendment?

SENATOR LINDSAY: Yes, thank you, Mr. President. As we've mentioned in this discussion, the question here, the policy question of whether the state should reimburse somebody who absorbs a loss because of the actions of a foster child when that child is in their care, I think it's a policy that would encourage foster parents to take these children. This is not a case, and I don't think it should be the intent of the Legislature to allow, for example, a subrogation claim from an insurance company. That is what I don't think the intent is. The intent rather is just to allow some who has taken those reasonable steps, has filed with an insurance company, has absorbed a deductible, that type of action where they've done just about everything they can do. I don't think it's the foster parents that should bear the burden of that expense. For those reasons I would urge that this policy be adopted by the Legislature. I'd urge the adoption of the amendment.

PRESIDENT: Thank you. The question is the adoption of the Lindsay amendment to the committee amendments. All those in favor vote aye, opposed nay. Simple majority on this, General File, amendment to the amendment. I'm reminded I might be in