

to...I am going to...not to vote for the amendment simply because as a member of the Health and Human Services I did feel that when we came out with 429 we had spent a lot of time on this one and another bill that addressed the same problems and that we had done what I thought was a fair and good job to bring out a good bill to the floor that could be put in place and that all parties would be happy. I am not feeling like the lobby is pushing me because I do think I can think for myself, Senator Wesely, and I have one good constituent who is concerned about this bill, Sister Phyllis Hunhoff, at Madonna Care Center and all of you know the reputation of Madonna. She is concerned about the...she likes the certificate of need review, so do I, but I think you can go too far with it and adding to health care costs when you have every little thing reviewed, that does add to the health care costs. So I am going to resist this amendment, hopefully, eventually I'll get to vote for the bill. Sister's concern, Sister Phyllis' concern is that hospitals might be tempted to expand their rehabilitation services and Madonna has such a tremendous reputation all over the state for that, along with Immanuel in Omaha, and I have visited with people who are for this bill and some health care people and I have satisfied myself that the hospitals will not be able to do that without a certificate of need review. You don't set up rehab for \$25,000 or 50,000. That is going to take a lot of money, a lot of staff, a lot of buildings, a lot of equipment. So at this time I will oppose the amendment and I will, as I say, eventually I hope I get to vote for the bill. Thank you.

SPEAKER BARRETT: Thank you. Senator Labeledz.

SENATOR LABEDZ: Thank you, Mr. President. Many of you that were here last year recall the fact that I required 30 votes to gut LB 716A. It passed with a considerable amount of support and went to the Governor and the Governor received an Attorney General's Opinion and the opinion was that because I did that in the last five days of the session, she was compelled to veto the bill. This morning I read parts of a 13-page letter that I received from Washington, D.C., from the Federal Trade Commission and in regard to what Senator Wesely is trying to do here, let me read you the paragraph, what they have to say about it. If the Legislature does not eliminate CON regulations entirely, reductions in the coverage of CON restrictions such as those set forth in the principal provisions of LB 429, would likely reduce the adverse effects of CON regulation. Raising CON coverage thresholds as LB 429 does should substantially