

their image rather than in the image of this body or in the image of the consumer. I'm going to support the amendment. Frankly, I can see the votes on the board. The amendment is going to be defeated. 429 is going to move. Bergan Mercy is going to get the ability to do open-heart surgery and the providers' turfs will be recognized. But a notion that says we are going to go from zero dollars in new service reviewed to \$900,000 before we review seems to me to be not just experimentation, not taking care of some services out in the rural areas where, in fact, there is little competition and reason to expand exists. That is really rolling back the role of the regulator and if we agree that there is no single service which in being offered should be reviewed, that we're doing the same thing. We're just...we're basically saying we're going to have the kind of certificate of need legislation that the providers think we ought to have. As tough and as strict as they are with themselves to solve their turf wars, that's about...

SPEAKER BARRETT: One minute.

SENATOR LANDIS: ...all we're going to ask for as the State of Nebraska. I'm going to tell you, 10 years ago when we fought this fight, that standard wasn't high enough. The standard was higher because we thought that the Department of Health, the regulator and the consumers' interests demanded more protection than just simply the internecine war of the providers and, frankly, 429 seems to me to be a retreat from that policy and I'm going to support the Wesely amendment. I can see the handwriting on the wall. Perhaps we ought to get to a call of the question and do the business we're about to do, but it's an unfortunate day and what I think it does is it establishes again for me the notion that the law does not improve over time necessarily, that we're in a process of refinement. In fact, we can do something good as we did 10 years ago and then undo it later...

SPEAKER BARRETT: Time.

SENATOR LANDIS: (Recorder shut off momentarily.) ...and the possibility as the fact that a law will improve over time. Thank you.

SPEAKER BARRETT: Thank you. Senator Baack, followed by Senators Wesely and Lynch.