

lights, those in favor of the adoption of the amendment to the Coordsen amendment please vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of the amendment to the amendment.

SPEAKER BARRETT: The amendment to the amendment is adopted. Back to the Coordsen amendment as amended. Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members. I have worked with Senator Coordsen on these amendments and I do appreciate his willingness to amend the bill. We had a meeting with Senator Coordsen, myself and Senator Smith to talk about this matter. We also had Judge Icenogle and Judge Gless and several other individuals that joined us trying to resolve the...if you remember on General File, we had quite a fight over this. I had a kill motion and several other amendments talked about and we finally decided that the best course would be to advance the bill and see if we couldn't come to some compromise. The fundamental question is, should the courts be involved in these placement issues or should the department continue to have that responsibility? The courts are very adamant in wanting to retain some oversight function and, of course, from the vote on a bill on General File it's clear that they also have the majority support of this body, so the question then became more than fundamental about who has that right but how is it to be functioned? I still have concerns about the way this will work. Obviously, when you interject the judicial branch and the executive branch in this, we've had some conflict and some difficulties and, I don't know, I think going back to that will bring those conflicts and difficulties, but I also must add that the discussion that we had was a very positive one and the discussion was a pretty good one about greater cooperation and trying to meet the needs of the kids involved and trying to do the right thing. And if the attitude that prevailed at this meeting were the attitude that was carried forward after this bill is passed, I think we'd all be better off because it's the attitude that the department has the primary responsibility and expertise, the judges are there to provide oversight to make sure that they don't abuse that power and the responsibility, that if there is a conflict that we have a system in place to resolve that conflict and that we go forward in those few instances. One estimate was 1 percent of the cases, another was at most 5 percent of the cases is what we're fighting over here,