

SPEAKER BARRETT: The amendment is adopted.

CLERK: I have nothing further on the bill, Mr. President.

SPEAKER BARRETT: Thank you. Discussion on the advancement of LB 182. Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, as I talked about, the amendments did help considerably deal with concerns that I had with the bill and we did try reasonably to sit down and cooperate on this issue. I think everybody is very concerned about this matter. We're dealing with a lot of kids here, very vulnerable in a situation where we're trying to make sure that their needs are cared for. There are differences of opinion about what to do with these children and what is best for those children. The conflict has been in some cases where the department has wanted to place them in a local setting. Judges have, in some cases, wanted to place them outside of the state in very expensive hospital settings, not even sometimes outside of the state. There is a lot of concern about the appropriate response to these children and the cost involved and the arguments made on General File were that judges were less concerned about the costs than the department were and that was a concern and, secondly, that sometimes they see hospitalization much more favorably than the department does, and we just talked about the Family Policy Act and that there are less restrictive settings that are better for those children. And so we've tried to recognize those concerns and our discussions in our meeting were such that I think some of the judges agree with those concerns and want to try and take care of this problem, and so it's one of those situations where there are few judges causing these problems and we're very afraid of going back to giving them some of the powers that they had before and having the problems that result. But with the review panel and some of the mechanisms set up here, we're hoping that this will all work out, that wherever we have these problems where some of the abuses we were talking about occur again in returning the power back to the county courts, that we will have an oversight function, that we will not have this situation occurring that we've had in the past. And so it's very difficult to know how this will all work and I'm still very apprehensive about this, but in a spirit of cooperation, I feel like we can proceed and at least examine how this function goes forward. The Attorney General Opinion, if you remember on General File, said that this