

SENATOR WESELY: Well, it doesn't have the specific reference to the ADA. It says they shall be establishing rules and regulations too.

SENATOR HALL: But if you're talking about a state action, you're talking about something different than the federal law. If it says the Department of Public Institutions, with the assistance of the commission, shall...

SENATOR WESELY: Right.

SENATOR HALL: ...adopt, promulgate rules and regs to define criteria and standards for access by hearing impaired. Wouldn't they have the same cause of action, same state action available to them?

SENATOR WESELY: They would have, obviously, under the rules and regulations, they would have to have some sort of criteria and set up the standards to provide access but it wouldn't specifically reference back to the ADA, and that's the difference.

SENATOR HALL: But aren't you, in effect, as it relates to these individuals, providing for, for lack of a better term, a mini ADA provision on the state level? Couldn't this whole bill be considered that? That's my point.

SENATOR WESELY: It's more...I'm trying to think of how much time to take on an answer to that but...

SENATOR HALL: Take all that I've got, I've got my light back on.

SENATOR WESELY: Okay. Well, let...let me...I didn't have a chance to go over this, but, essentially, the ADA is out there. We need to comply as a state, whether it's state government or as in individual private sector, and the testimony that we heard would indicate to me that we have...we have not complied, at least in my view, with the ADA as I would like to see it done. So the bill is an attempt to step forward to accomplish that, but the question is, you know, is it enough? Is it adequate? Is it inadequate? The department argued that it isn't even necessary, so you have a wide range of views between whether or not we're in compliance.