

SENATOR CHAMBERS: Since we're using, Senator Wesely, the Socratic method of brief questions and brief answers, I'm going to ask questions again so that the record is crystal clear on these aspects of it. What specifically is your concern?

SENATOR WESELY: If you include the language that is currently being under consideration with this amendment, it looks to me like it requires that the Department of Public Institutions to, across all of its divisions, comply with the mandates of the ADA and that leads to one question about entitlement and the other question dealing with liability. And not knowing the answer to those two questions, our thought was better safe than sorry in this case and strike that language.

SENATOR CHAMBERS: When you use the term "better safe than sorry", are you referring to the disabled people whose interests are at stake,...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...or with reference to the interests of DPI?

SENATOR WESELY: I would like to think in terms of the interests of the public at large in terms of having an unknown liability and unknown entitlement that we may not think as in the best interest to proceed with but are forced into because of this language and what it may entail.

SENATOR CHAMBERS: Could this language, Senator Wesely, compel the DPI to do anything not required already under the ADA?

SENATOR WESELY: Well, you would think not. I think the first response would be not, but I'm not certain whether there would be...a lot of this is subject to interpretation. ADA is not clear, you know, it's kind of a moving target and uncertainty prevails and having this in there may force an action beyond what currently would be contemplated, and...

PRESIDENT ROBAK: Time. Thank you, Senator Wesely. Senator Wesely, your light is next.

SENATOR WESELY: Thank you. Let me try to...I...one lesson from this is for all of you new and old members alike is that never have the first bill of any substance up before the Legislature. Take Senator Hall's route and have the clean-up bills or some