

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 15, 2005 LB 206

Thank you.

SENATOR CUDABACK: Thank you, Senator Schimek. Further discussion on the committee amendments? Senator Bourne, you're recognized to close on AM0633.

SENATOR BOURNE: Thank you, Mr. President and members. I'll go through again what the committee amendment does. It allows any party to file a motion for review hearing to be held as soon as practicable. I think this goes towards Senator Schimek's concerns that if somebody sees a DD individual is not placed in the least restrictive area, they can file a motion to have their case reviewed. We did change the immunity provisions and so now these facilities are held to an ordinary negligence standard. And of course, you heard Senator Chambers had committed to working with Senator Byars if we find that that's a significant problem, between now and Select File. It requires HHS to collaborate with the advisory committee and submit quarterly reports, requires HHS to submit annual reports to the Legislature, adds an additional member to the advisory committee, creates an additional duty to provide oversight on the whole process, to ensure that persons placed in custody are receiving the least restrictive treatment possible. And it changes language regarding deliberately setting a fire, that was in the green of the bill. I think we've had a good debate on the bill. I commend Senator Byars for his interest in this, and I think this will go a long ways towards making sure these individuals are placed in the appropriate facilities, not simply in a jail somewhere. I'd urge your adoption of AM0633. Thank you.

SENATOR CUDABACK: Thank you, Senator Bourne. You've heard closing on the committee amendments. The question before the body is, shall AM0633, offered by the Judiciary, be adopted as amended to LB 206? All in favor vote aye; opposed, nay. We're voting on the adoption of the committee amendments. Record please, Mr. Clerk.

CLERK: 35 ayes, 0 nays, Mr. President, on adoption of the committee amendments.