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April 26, 2005 LB 114

SENATOR CUDABACK: Thank you, Senator Bourne. You've heard the opening on AM0975 by Senator Bourne to LB 114. Open for discussion. Senator Engel, followed by Senator Byars and Wehrbein. Senator Engel.

SENATOR ENGEL: Mr. President, members of the body, I'd like to dialogue a little bit with Senator Bourne. I think as far as helping those with less than 100 percent, 50 percent of poverty, we should do everything we can do, but I think it should be on a voluntary basis. I don't think we should mandate that. It would be like...I guess...I guess the question I have to ask Senator Bourne, how about if we mandated everyone with...at this level came in for free legal advice? Should every attorney be mandated to give them free legal advice? Should every CPA be mandated to give them free advice? That's where I'm getting at, is the mandate of it. I think you can find enough volunteers to do this without saying they have to. And of course then a second question, Senator Bourne, my good friend, how would you enforce that?

SENATOR CUDABACK: Senator Bourne, would you reply?

SENATOR BOURNE: Certainly. We could take them one at a time. How would they enforce that? I would assume that a parent would complain if they asked for a free exam and then it wasn't given to them. I assume that they would complain perhaps to the school district or...it's a very good question, Senator Engel. I assume that, given that the optometrists are the ones asking for the bill, that there would be some honor or goodwill on their behalf and that wouldn't occur, but I'm not sure. As far as mandating this free service, I would be willing to bet that if there was a bill that was introduced that said prior to a youngster presenting themselves to kindergarten, their parents had to have a will drafted, I would imagine that the lawyers in this state would be so delighted at the additional work that they would get from this measure that they would be delighted to offer a free will to those people who couldn't afford it. So I think this amendment is responding to a mandate by the government with a mandate that the optometrists do the right thing and provide the service for those who can't afford it.