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SENATOR CUDABACK: Thank you, Senator Kruse. Senator Foley,
followed by Senator Stuthman.

SENATOR FOLEY: Thank you, Mr. President, members. Let me address some of the points that have been made since lunchtime, starting with Senator Thompson, who is raising the question about why are we giving guidance to the Department of Health and Human Services. Well, if you look over the 15-year history of this program, that's precisely what the Legislature has done from day one. This program does not exist in statute outside of the budget bills. That's the only place this program has ever existed. It started out as budget language in 1991, and it's been repeated and refined and changed over the years since then. My amendment is in keeping with the history of this program. If there were...if this program were in statute, I would offer an amendment to the statute that covers that program, but the budget bill is the appropriate statute that governs this program. All the existing providers were told, in writing last year, your contract is coming up for renewal, there will be a resolicitation process in the spring of '06, be prepared. They're all on notice. They know this is coming. The only question is, how will the program be administered? HHS has...and I've worked with them for many hours on this, believe me, and I've said to them, why don't you just do this? And they said, no, no, no, no, no, it doesn't work that way; Legislature created this program, it's been in effect for 15 years, we need legislative guidance here and this is how we can do it. And I worked very closely with them. That's why they're supporting this amendment. That's why the Governor's Office is supporting this amendment, because I've worked very closely with them on this to get it done right so that we're not hit with some crazy lawsuit that's going to just sap our resources and drain the resources and take away monies that need to be used to serve the women. I agree with...I think it was Senator Thompson or maybe it was Senator Schimek who said nobody here has a beef with the services. I don't. I've made that very clear. No one has spoken against the services offered in this program. We all support those services, and this doesn't jeopardize those services, not in any way. It simply tells those 14 providers there's going to be others doing it as well. Here in Lincoln, Lancaster County, one provider; in York, Nebraska, no providers;