

January 12, 1990

LB 224, 465, 1127-1133

SPEAKER BARRETT: Thank you. The question is the advancement of LB 465 to E & R. Those in favor vote aye, opposed nay. Record, please.

CLERK: 33 ayes, 0 nays on the advancement of 465, Mr. President.

SPEAKER BARRETT: LB 465 is advanced to E & R. Anything for the record, Mr. Clerk?

CLERK: Mr. President, new bills. (Read for the first time by title: LB 1127-1133. See pages 315-17 of the Legislative Journal.)

Hearing notices, Mr. President, from the Government Committee and from the Transportation Committee signed by their respective Chairs. That is all that I have.

SPEAKER BARRETT: Thank you. Moving to Select File, Mr. Clerk, LB 224, please.

CLERK: Mr. President, 224 is on Select File. E & R amendments have been adopted. When we left the bill in March of last year, I had pending an amendment from Senator McFarland. That amendment is now before us, Mr. President. Senator, I have your amendment that is on page 1271 of last year's Journal. It reads on page 7, line 10, after the word "the" insert "aggregate penal"; and strike beginning with the word "approved" in line 24 through the word "or" in line 25 on page 10.

SPEAKER BARRETT: The Chair recognizes Senator McFarland.

SENATOR MCFARLAND: Excuse me, Mr. Clerk, could you repeat which section. I remember the language now but I want to focus in on that.

CLERK: It is page 7, line 10, after the word "the" insert the words "aggregate penal"; and then also, Senator, on line 24, strike beginning with the word "approved" through the word "or" in line 25.

SENATOR MCFARLAND: Strike which language again?

CLERK: Strike beginning with the word "approved" in line 24.

January 17, 1990

LB 163, 821, 822, 823, 824, 825, 826
827, 828, 829, 1102-1135, 1158-1161

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated) ...pastor at UN-L, and now is pastoral associate at Trinity Lutheran Church here in Lincoln. Would you please rise for the invocation.

DR. NORDEN: (Prayer offered.)

PRESIDENT: Dr. Norden, thank you for being with us again, we appreciate it. Come back again. Roll call, please. Record, Mr. Clerk, please.

CLERK: I have a quorum present, Mr. President.

PRESIDENT: Thank you. Do you have any messages, reports or announcements this morning?

CLERK: Mr. President, Reference Report referring LBs 1102-1135, as well as three gubernatorial appointments to the appropriate standing committees for hearing. (See pages 348-49 of the Legislative Journal.)

Received a report from the Department of Roads filed pursuant to statute, Mr. President. That's all that I have.

PRESIDENT: Would you like to introduce any new bills, or would you not like to?

CLERK: Mr. President, I'm sorry, I do have some other items. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 821 and recommend that same be placed on Select File; LB 822, LB 823, LB 824, LB 825, LB 826, LB 827, LB 828, and LB 829, all on Select File, some of which have E & R amendments attached, Mr. President. Now, that's all that I have, Mr. President. (See pages 350-51 of the Legislative Journal.)

PRESIDENT: New bills, please.

CLERK: Mr. President, new bills. (Read LBs 1158-1161 by title for the first time. See page 352 of the Legislative Journal.) That's all that I have at this time, Mr. President.

PRESIDENT: We'll move on to General File then, LB 163.

did not cut out this accountability language that we put into the bill through the appropriations process. That language was taken from another bill, LB 1129, heard by the Health and Human Services Committee and held. We did study the problems in the system a little bit and found that we needed to have more of a way for the state with our state money going into the system to know what we're getting back for the money we put into it. And that sort of language, I think, was reasonably attached to this bill by the Appropriations Committee. There is much to be done, much more work to be done in trying to examine the changes and improvements in the system that we need to make. We're nowhere close to having any recommendations at this point. We have much work ahead of us. But I think the way to proceed at this time is not to place two million more additional dollars in without knowing what we are getting for our money, without having in place a system to make sure clients...

SPEAKER BARRETT: One minute.

SENATOR WESELY: ...are being served by that additional money. And so, with that, I would suggest not supporting the amendment. That doesn't mean you have to vote against it, it just would mean not voting for it at this time and then suggest that as we move forward there may be other ways in which we can approach this problem that would be more reasonable and more accountable than what we're seeing at this point. It's not an easy thing to do, I know there is a lot of concerned people and I have already gotten a lot of calls, but I still think it's the right thing to do. I do know, from looking at this as an individual from Region V, Region V benefits tremendously from this. Out of the \$2.2 million, 1.3 goes to Region V. Region VI gets nothing out of this additional money. But, nevertheless, I think at this time it would be better not to proceed with this amendment, not to adopt it and see if perhaps there is some other negotiation that could occur that would be more reasonable in its solution of the problem.

SPEAKER BARRETT: Thank you. Senator Hefner.

SENATOR HEFNER: Mr. President, and members of the body, I rise to support this amendment. I feel that we need a little more money for our mental retardation regions. And I appreciate Senator Hannibal and Senator Wesely explaining what they're trying to do to correct this. But I have been down here a number of years now and, of course, I'm from Region IV and I'm

override attempts to be made today when viewed from its impact on people. This is the \$2,225,000 appropriation for the '90-91 year for the mental retardation regions in the State of Nebraska. We debated this at some length. I'm not going to take a lot of time introducing it, so I will close the opening statement on that tone.

SPEAKER BARRETT: Thank you. For discussion purposes the Chair recognizes Senators Wesely, Warner and Hannibal. Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members. I wasn't here when the original amendment was adopted to the bill to provide for this additional funding. Had I been here, I would have argued against that amendment and the way it was offered. The reason is not so much that I opposed additional funding for mental retardation services, but the fact that language was stricken from the bill that would have provided for individual client contracts, after July 1st of this year. And that proposal was contained in a bill that was introduced by Senator Warner and myself in the Health and Human Services Committee, LB 1129. Actually a much broader concept was introduced at that time to try and reform the mental retardation system in the state, to recognize that we had a serious problem, a serious crisis occurred this last six months in that system, and that we needed to look at some changes to provide for greater communication and greater accountability. We should not allow a situation like that to repeat itself, as we're looking now at a two some...2.2 million dollar question right now. This problem then is perpetuated into the future, unless some changes are made. Now, we have introduced a study resolution which will be a priority of the...the number one priority of the Health and Human Services Committee, LR 368, to look at the service system, the mental retardation system. We have been allocated \$75,000 to do that study, and I plan to spend a great deal of time on that, and feel that this Legislature is dedicated to studying this very important problem. But the question before us is, do we or do we not support an override of the Governor's veto and expend another 2.2 million dollars in this area? This is not an easy question for me. If we had adopted this additional money with some accountability language, some additional accountability language included in that appropriation, I would have felt very comfortable with that change. Because then what we would have said, the message would have been, yes, we're willing to expend money to meet our mental retardation needs,