

Senator Crosby to speak to the committee amendments.

SENATOR CROSBY: Thank you, Madam President, and members, and I thank Senator Chambers for asking some of the questions that I had lined up on this particular amendment. The hearing impaired people are an isolated group of people, which I will go into in detail when I open on the bill, and over the years they have felt that...the commission and the constituency have felt the Department of Public Institutions has not responded to the needs that they feel that they really have, especially in mental health and in drug and alcohol abuse cases. So that's the reason that we put that particular section in. And I didn't know about the amendment until this morning. I knew the bill was out but I hadn't seen the amendment and I don't...as I understand it, what the Department of Public Institutions said, now I didn't hear this but it's what I'm told they said is that they already adhere to ADA, to the Americans for Disability Act. Well, probably that's true but the hearing impaired constituency feels that they are still not...they still don't have the access that they really need. So, at this moment, I don't feel it's really going to hurt my bill but I really don't like it taken out. Thank you.

PRESIDENT ROBAK: Thank you, Senator. The Chair recognizes Senator Wesely.

SENATOR WESELY: Madam President and members, I would like to reiterate again the situation with this amendment. I don't think it's a make or break with the bill but we did have the Department of Public Institutions come in in a neutral capacity, but you know how there's neutral-neutral and then there's neutral-positive and neutral-negative. Well, I would characterize this as neutral-negative. They didn't particularly like the bill and felt that they were in full compliance with the ADA as it was. But, specifically, they had a problem with that section that dealt with the potential remedy and liability of the state to comply with the ADA and then also the rules and regulations aspect of that section. They felt they already had authority to do rules and regulations. We thought that we wanted to see them actually carry forward and do rules and regulations. We think that that would show that they, in fact, are taking steps to comply with the ADA and we didn't see any potential downside to that, but we do see a potential concern dealing with the other language about the state aspect. And what we're worried about is on the ADA we...I don't think in any