

are shivering in their boots because of the fact that no matter what they do there is a possibility they are wrong. Perhaps some wrong decisions were made in the life of this man. I don't know but I just don't see how the Legislature is going to be able to determine that. They were not there at the time. They did not have the facilities to check on the things that we now have to determine a person's I.Q. and determine his abilities. I just think we are opening up something that we have no business opening up. I think if this gentleman has a right to sue, you say he can't do it, I still think that with the attorney that he has that he will probably find a way. Everything that we have done to everybody that has been in an institution in the State of Nebraska in the last hundred years is really at stake in this situation and I am sure that many many of them or their relatives thought they were mishandled. Now if you want to open up that kind of a thing and get into it, you are not just talking about Joe Soukup, you are talking about everybody that has ever been institutionalized in the State of Nebraska and I just think we are getting into something way over our heads. I don't think we can back up and tell what was done thirty, forty years ago, whether it was wrong or right. It was a judgment by the person in command of that institution or at that time and I think that should stand. Thank you.

PRESIDENT: The Chair recognizes Senator Koch. Senator Koch. You call for the question? All right, he withdraws his... so, Senator Simon.

SENATOR SIMON: Mr. President, members of the body, I rise to support the motion and let me give a little bit of information that has not been presented so far and let me direct this particularly to Senator Lamb since he raised a couple of questions. Senator Lamb, one of the problems that came out during the committee was the fact that the attorney could not get the records of Joseph Soukup from the state. He could not get his records from Kearney where Mr. Soukup was an inmate. He could not get the records at the State Mental Hospital where he has also served for a period of time as an inmate. None of those records were available. The only way that we can get those is through this process so that is one more reason I think why we should go ahead with this resolution and I guess I would just say in closing in deference to Senator Kahle, if it came down to a legal opinion and a legal matter, I would certainly go along with those of the two attorneys who have spoken on the matter, Chairman Luedtke, our Lieutenant Governor and Senator DeCamp, and I do think in all deference, Senator