

April 27, 1981

LB 499

SENATOR CULLAN: Mr. President, members of the Legislature, as I recall the committee amendments, they were brought to us by Senator Landis and so I would please ask Senator Landis to help me out and tell me what we are doing here.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, accepting the recognition from Senator Cullan, let me proceed to just indicate that the committee amendments for the most part are clerical or technical in nature. They do effectuate one change in the bill if you have looked in it. You will see that the notice requirements have been limited. We had utilized the term "interested party" to include not only parents, guardians, guardian ad litem, the partitioners in the case, county attorneys, and all kinds of officials. However, the committee amendments narrow the range of notice that is required and that would be to the parents of an individual who is being considered for a commitment procedure under this act, the guardian, the guardian ad litem, the foster parents in the event they were a ward of the court, and the like. When you use a term like "interested party", it can be so broadly interpreted that there could be an almost endless stream of notices that would be required and we have simply closed an open-ended term and replaced it with a very explicit list that occur in the bill, and with that, I would ask for the committee amendments to be adopted and then I will be happy to discuss the bill in its entirety and explain it to the body succinctly.

SPEAKER MARVEL: Senator Landis, do you have an amendment to the committee amendments first?

SENATOR LANDIS: I do personally have an amendment to offer to the committee amendments. It has been printed in the Journal, Pat, on page...

CLERK: 1504, Senator.

SENATOR LANDIS: 1504. It simply strikes a section that says that allows the commitment of an individual to any intermediate care facility for the mentally retarded. That language was offered by the Department of Public Welfare. It is, however, a term that the Department of Public Institutions who is responsible for the management of this act is uncomfortable with since that is not defined, and what we are really talking about here is commitment to the Beatrice facility, and so we want to strike that provision which was offered at the committee level by the Department of Public Welfare because it is not consistent with the goal of the bill and I would offer the amendment to the amendment and then once that is successful, hopefully, the