

Nelson today signed a bill that requires the state to provide adequate funding for implementing increased criminal penalties. LB 507 requires that the estimated fiscal impact of legislation leading to increased inmate population be identified and appropriated to a fund specifically earmarked for incarceration costs. "We have taken a tough stand against crime and with sound reason", Nelson said, "now we need to put our money where our mouth is. This is consistent with Nebraska's pay as you go philosophy and is in the same tradition as when our predecessors built our State Capitol. We were not left with a 'balance due' bill and we should not leave our children with such a burden. This is a matter of public safety and our public responsibility." Going on with the letter, Nelson said taking criminals off the street through more arrests and longer sentences places greater demands on the state's correctional system which is currently operating at 153 percent of capacity. "Our investment in new prisons must keep pace with our criminal justice policy", Nelson said, "otherwise we will continue to face an overcrowded system that will breed an entirely new set of problems including the possibility of federal court intervention." The fiscal analysis requires an estimate of increased operating costs resulting from new criminal legislation. Nelson says LB 507 provides a reasonable approach to fiscal responsibility. The concept has been endorsed by the National Conference of State Legislatures and the State of Tennessee has already adopted similar legislation. The proposal was one of several recommendations recently issued by the Governor's Task Force on Prison Alternatives and was also recommended by a task force of the previous administration. Concern has been expressed that LB 507 unconstitutionally binds the action of future legislatures. Nelson says while he does not share that legal concern, the matter may well be decided in court. "I have signed LB 507 because fiscal responsibility dictates that we should proceed to identify and pay for the cost of our policy decisions." End of that quote, end of the news release. The Governor, if he would go ahead and sign LB 371 is violating this news release and the rationale he gave for signing 507 and it's why I wish these very serious matters would not fall prey to politics as all of this posturing over crime has done. I find the provisions of LB 371 to still be inconsistent, unreasonable, unworkable. I opposed it when the Attorney General brought it, I oppose it now. And what I wish would happen, well I'm not really sure what I want to happen on this bill. If we go ahead and pass it, the challenge can be made. So in reality I'm in a win/win situation but I don't call