

essence, here is the situation we have today. I offered the amend...the bill again this year, it went on Consent Calendar, it then passed with little difficulty and, again, it's back with us on a veto. Just for the record, this summer I did check with the Governor, let her know that I was going to introduce a bill. She did mention that she probably would veto again so we both were understanding of what we were both going to attempt to do and we're both going to do what we feel we have to represent our particular areas, and that's the way it should be. LB 44, in essence, tries to correct a problem that really is a small county problem, and those in Douglas County and Lancaster County, this really won't affect you that much except for finances, but it won't affect you that much. This is a small county bill, no doubt about it. What the law is now, the statutes now say that if you have a trial the counties are responsible for paying the determination tests as to whether or not the accused is mentally competent. If the accused is deemed mentally incompetent and is then put into a state institution, the law is not clear. Again, I repeat, the law is very clear that testing of the...of whether or not they are to be determined mentally incompetent, that's very clear in the statutes. The counties pay for that. This bill would not change that. This bill would simply change the part that says after they have been deemed mentally incompetent and after they are put into a state institution, the legislation, the statute, is unclear as to who picks up the cost. LB 44 would have the state pick up the cost. What I would like to imply, if the body would, again, be so patient enough to give me their attention on this last bill that we have, is that the small counties, this does not happen very often. They are incapable, I should not say incapable, it is impossible for them to budget for these types of budgetary items. Many counties won't have a situation like this for 5 to 10 years. Then all of a sudden out of the blue they may get a case like this and it may be 20, 40, 60 or over 100 thousand dollars and they may not know when it's going to end. What the counties find themselves into, and it's a very deplorable situation and one that I detest personally, but the counties find themselves in a situation of saying, we cannot afford this, we can't control it, we can't afford it. If we drop the charges then guess who pays for the institutional stay of the alleged criminal? The state will pay. Many counties at times have had to face this issue. Most counties that I'm aware of try to do the best they can, but in many situations they feel they have no choice. They simply cannot pay and they are forced to decide whether they bankrupt the county, whether they dip