

maybe you did and I just missed it, I didn't hear you say anything about the fact that the fiscal note alludes to the fact that there is going to be an attempt to...for those people that are...that would receive the, I guess the ability to be placed on a probationary kind of a status with the surveillance program, to pay the costs of the program. Did you mention that at all? And that's mentioned in here, they talk about revenues, if revenues actually exceed expenditures and so on but it doesn't show, and you didn't mention that fact. Is that going to be a part of the program?

SENATOR HANNIBAL: I mentioned that that was part of LB 220 as it stands right now. We had that amended but it also was part of 1212. Yes, both of the bills and the total bill will allow for those people who are going to elect and are approved to go under electronic monitoring to, if they are adjudicated financially able to pay this, that they will pay for this monitoring service. It's not at all uncommon for as a condition of probation, that the courts will suggest that if you're going to go under electronic monitoring you pay for that on a daily cost. It's not at all uncommon for as a condition of probation you have some restitution involved as a condition of probation, you will repay some certain things or you do certain things. This is allowing the court to do the same thing for electronic monitoring and, as a matter of fact, for testing periodic and spontaneous unannounced testing for drug and alcohol while you're under this probation system if the court decides and you agree that you will pay for these things, then this law authorizes that to happen.

SENATOR SMITH: All right, so then very clearly, by adding this bill, LB 1212, to the existing bill that we have here, you're not adding any new costs. The costs have already been appropriated in LB 1031 and there is a possibility that some of those costs can be recaptured through charges to those folks that take advantage of that system as long as they are able to pay for it themselves. Is that a summary of what will happen?

SENATOR HANNIBAL: Yes, that is, although I wouldn't want to mislead you. There is going to be a significant General Fund expenditure of over, well, right at a million dollars...

SENATOR SMITH: In addition?

SENATOR HANNIBAL: No, the million dollars is part of 1031.