

believe the intentions of the bill were, and instead of creating a commission and staffing an office and giving them all of these tasks to do, my amendment would set up an emergency fund and that fund would be administered by the Governor. And counties that were hit by abnormally high, large legal defense funds, as in the Richardson County case, which is about \$110,000 over and above what their normal spending is at this time from a high profile murder case, and the language in my amendment speaks to giving priority to death penalty cases. The Governor would declare an emergency and when...when this type of a disaster, I guess you could call it, similar to a natural disaster like a flood or something occurs, and he could release these funds to the area that needed them, to the county that needed them. It goes along the same thinking as the flood assistance that we were just released at the federal level. I know when read an article in the Omaha World-Herald on Richardson County, it talks about them getting the money that they received from the federal government a little faster due to help from the Governor's office, but that under the rules of disaster assistance the money could only be used to reimburse the county's expenses for the flood damage that was done. So the flood money couldn't be put into a fund for trial expenses, but the county felt that they could pay other expenses and free up some of their money to go ahead into the trial expenses. That's...that's kind of what gave me the idea to go ahead and do this kind of an amendment to 646 and what I felt was more along the lines of what I would like to see 646 accomplish and that's not to set up a new bureaucracy, not to set up some more jobs and some staffing and all this other bureaucracy, I believe, that 646 in its present form is setting up, but to actually take the money and put it into an indigent defense fund, exactly what it says that it is, and allow that money to be distributed by the Governor. The language is very plain in the amendment. Counties would apply for the funds to help cover the cost. Assistance shall be provided from the fund to counties which have incurred costs to such an extent as to impose a severe financial burden exceeding the ordinary capacity of the county. The application would be on forms furnished by the Governor's office and shall furnish sufficient information to determine eligibility for aid and extent of the financial burden incurred. Those decisions would be made in the Governor's office. The highest priority for awarding these funds would be the death penalty cases and the next priority would be in murder cases. When awarded funds the Governor would issue an emergency declaration which sets forth the emergency and would state that it requires the expenditure