

you like to....

CLERK: Senator Lynch voting yes.

SENATOR CROSBY: We are voting on the committee amendments to LB 256. Senator Hudkins will accept call-in votes.

CLERK: Senator Schimek voting yes.

SENATOR CROSBY: Record, please.

CLERK: 25 ayes, 0 nays on adoption of committee amendments, Madam President.

SENATOR CROSBY: The committee amendments are adopted. I will raise the call. Senator Hudkins, would you like to open on LB 256.

SENATOR HUDKINS: Thank you, Madam President and members of the body. Under LB 256, the state would have the responsibility to pay the cost of maintaining the individual accused of a crime who has been determined incompetent to stand trial and committed to a state hospital. Currently, counties alone have the burden of paying for these expenses, expenses which are significant and growing, as well as the expenses of the mental examination, itself, which is not affected by this legislation. While our most populous counties are perhaps most dramatically impacted in that they spend tens of thousands of dollars each month for such expenses, this is a matter which affects each and every county no matter what size they are. Every county could face at any given time the commission of a crime within its borders by an individual subsequently determined incompetent to stand trial. It's nearly impossible for a county to anticipate and, thus, budget for such an occurrence and the resulting financial obligation. This obligation could conceivably continue for an indefinite and extended period of time, conceivably for an individual's lifetime. There is no reason a commitment based on mental incompetency to stand trial should be treated any differently than an ordinary civil commitment, yet it is. In both situations, the primary focus is to provide the individual affected proper care and treatment. Yet only under the civil commitment does the state pay for the primary share of these treatment costs. There should be no difference. The state has the primary legal obligation to care and treat those within the