

financial capability of the person being sent to the Regional Center to pay their own way, that is a county responsibility, we should leave something in there to give, generally speaking, the county some incentive not to do what the Department of Public Institutions is afraid they'll do, and that is to loosen up the criteria or their interpretation of psychiatric reports to effectively send more people down there than they are in the practice of doing currently. That's...that's the thought, and let me give you time to respond to that.

SENATOR HUDKINS: Well, as far as the county trying to see if the patient has the ability to pay, what would be the difference of the state doing that, and I don't...it's the judge that sentences or sends the accused to the Regional Center.

SENATOR BEUTLER: Well, there's no...as far as I know there's no authority for the state to do that in this situation, and we would have to then add a statute to give the state authority to do that, and that could be done too. But the judge is the one who decides, the local judge is the one who decides whether the incarcerated...the transfer to the Regional Center will take place or not, and my experience, at least with local judges, is that they are extremely sensitive to the local community and to local county government, in particular because they rely upon local county government for their space and for some of their resources. So I am just trying to think of what's the most balanced approach here, whether it's really balanced in terms of everybody's incentives to simply say the state is going to pay it all, when the county could pay at least a small portion of it and retain some incentive to save...to save their money.

SENATOR HUDKINS: And I still think, Senator Beutler, that your concern is addressed in the statutes that you quoted, 83-376.

SENATOR BEUTLER: How is it addressed there?

SENATOR HUDKINS: You said yourself that if the county is bound on one side, then also the state should be bound on the other.

SENATOR BEUTLER: Okay, so if I just put an amendment directly referencing it to 83-376, you'd have no objection...

SENATOR CROSBY: One minute.