

SENATOR BEUTLER: Senator Crosby, I think we've probably had a real good discussion of this, and I think for the moment I will just withdraw the amendment and let folks sort out how they feel on this issue. Again, the amendment I think just puts into place, according to the lobby and those who are interested in it, exactly what they intend to do, but while we are on the subject, I hope Senator Wehrbein will take a look at 83-376 and see if not maybe the counties should be paying a little more. I am not sure that \$15 on the front end of 150 or 200 dollars a day is really all that much incentive. You know, maybe it should be more, but at the very least I would think that the county ought to have some minor responsibility in the process. But with that, I will withdraw the amendment, Senator Crosby.

SENATOR CROSBY: Thank you, Senator Beutler. You've heard the closing. The question is...you are withdrawing the amendment, Senator Beutler?

SENATOR BEUTLER: Yes.

SENATOR CROSBY: Oh, thank you. Back to the motion to advance LB 256, any further discussion? Seeing no lights, Senator Hudkins, would you like to close on 256.

SENATOR HUDKINS: Madam President, thank you, and members of the body, I'll try to consolidate what all we've discussed this morning very quickly. State law is clear, that the state is responsible for the cost of providing treatment after there has been a mental health commitment to a state institution. The law also generally provides that counties are responsible for the cost of operating the criminal justice system. An issue arises in this case, however, if during the course of the judicial proceedings a determination is made that a particular person is incompetent to stand trial. Following that determination, the person is committed, usually to Lincoln Regional Center or a mental health treatment center somewhere else. It's the position of the counties that this mental health commitment is no different than any other commitment, and under state law, the state is generally responsible for providing those costs with some supplement from the county. The state hospital is indicating that they are worried about the rights of the defendant in the trial. That is not their function. Their function is to provide mental health treatment to a person who has been found incompetent to stand trial. They also indicate