

but I do have an amendment on the desk, yes.

SENATOR BEUTLER: Okay, I withdraw that amendment.

SENATOR COORDSEN: The amendment is withdrawn. Next amendment, Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Hudkins would move to amend with AM2983. (See pages 734-35 of the Legislative Journal.)

SENATOR COORDSEN: Senator Hudkins.

SENATOR HUDKINS: Thank you, Mr. President and members of the body. By now you should all have a copy on your desk of the amendment that I filed. It is AM2983. What does this do? Well, just a couple, two or three things actually. The first thing that it does, it changes from six to three months the time that is necessary for the competency evaluation to be done. And why did we do this? Well, in discussions after the committee amendments were adopted, we found out that these evaluations don't take nearly this long. Average time, 30 to 40 days. So it seemed that to have a six-month maximum time was too long compared to what actually happens. So we did reduce that to three months. And under the current law, there wasn't a maximum amount of time for these evaluations to be done. The second part of it clarifies what the county's share will be for the maintenance of the defendant after the court finds the defendant incompetent to stand trial. And what is that share? Well, the county will pay \$15 or \$10 per day for the first 30 days. And the 15 or the 10 depends on which institution holds the defendant, and then after the first 30 days, the county will continue to be responsible for \$3 a day, and this is Statute 83-376. The third part says that, beginning on line 7 of the amendment, this provides a mechanism for the return of the defendant to the county jail or other facility after a report is filed by the treating physician that it is the physician's opinion that the defendant is competent to stand trial. When that happens, then the county has 14 days to arrange to pick up the defendant and return him or her to the appropriate correctional facility. This would then open up a bed in that treatment facility. Why do we think it was necessary to do this? Well, in discussions with DPI, they had a concern that they would be holding the defendant in their