

April 18, 1996

LB 256, 256A

PRESIDENT ROBAK: Then turn...

CLERK: ...Senator Hudkins...

PRESIDENT ROBAK: Mr. Clerk, yes.

CLERK: Okay, Senator Hudkins would move that Legislative Bill 256 become law notwithstanding the objections of the Governor.

PRESIDENT ROBAK: The Chair recognizes Senator Hudkins to open on her motion to override.

SENATOR HUDKINS: Thank you, Madam President and members of the body. Yes, I do ask this body to override the Governor's veto of LB 256 and it's accompanying A bill, 256A. My reason and justification for the override is one of common sense. LB 256 was introduced to bring some clarity to the issue of who pays for the maintenance and care of individuals who are incompetent to stand trial. This is a societal problem. It's not a location problem. There was an instance in York awhile back where a man killed his wife. He was subsequently found incompetent to stand trial and was in the regional center. York County was paying the costs of his maintenance. While he was in the regional center, this individual strangled his roommate and, simply because the fact that the crime happened in Lancaster County, Lancaster County was responsible for those costs. Currently, there's a major difference of opinion on this issue. The counties believe that under the statutes, once the individual is found incompetent to stand trial they're only responsible for 15 dollars for the first 30 days and 3 dollars for every day thereafter. The Department of Public Institutions' position has been that the counties are responsible for the full costs which, according to the latest information, is about 290 dollars a day. Throughout the course of moving this bill along, I have worked to try to reach a compromise that both sides could live with. The result is what we have before us at this time. The state and the county will share equally in that cost. While the compromise does not completely resolve the issues that surround this bill, it does go a long way in the right direction. Madam Chairman, if I could have a gavel, please.

PRESIDENT ROBAK: (Gavel.)