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LB 425

this point I am going to oppose AM1470 for that reason.

SENATOR CUDABACK: Thank you, Senator Byars. Further discussion? Senator Don Pederson, followed by Senator Janssen and others.

SENATOR D. PEDERSON: Mr. President, members of the Legislature, if you look back at this law, it was intended because of the fact that what the counties were doing is maintaining state prisoners. So it was not to be aid to the counties, necessarily. It was that the counties were taking on a responsibility for the prisoners. These were prisoners that had been assessed to be ready to go to the penitentiary, but the counties were continuing to hold them. As I mentioned before, both Senator Cudaback and myself were deeply involved in the development of this and we came up with what did amount to not a total amount to reimburse but a figure that could be justified partially as a basis of reimbursement to the counties. Now, when we talked about this on General File, I objected to it. I think Senator Stuthman had...was asking for more money than he's asking for right now, but it was based upon, I think, his efforts, which I understand, to try and recover what they didn't get in the past. And couldn't go along with that. It couldn't be sustained in that fashion. We didn't do any resurrecting of past sins, if you might say. But we just plain did not have the money for a period of time and when it came to the appropriation measure this year for the reimbursement for the counties, essentially when we did this we based it on what we did last year and that was it. Now the statute does provide that we may go up to \$3,910,000. I understand that claims far in excess of that amount were filed by the various counties. I do not know what the situation is as far as Lancaster County and representations that were made. I do know that the counties have been stressed financially as a result of the lack of aid that they have received or had expected to receive from the state. We did this initially because we thought it was the right thing to do. We thought these are not county real prisoners; these are state prisoners the county is holding for us, so we felt they should be reimbursed because they were doing what the state should be doing. But since they were located in the counties, being held there, we thought they should be