TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

May 25, 2005 LB 425

way it's set up so that you have 100 percent reimbursement for part of the year and none for the rest of the year. reason I don't want to fund this to any greater extent is that it doesn't seem to me it's consistent with the situation to fund this kind of a program. It's sort of made to sound like the state has an obligation to support prisoner expenses, there is a...clearly a state prisoner that the state is not paying for, and I don't think that's the case. I think once it's clear that a person goes to a state prison, then the state picks up that expense 100 percent from that time forward. What we're talking about here is if a couple of people get arrested, they spend a month in county jail, after that month one of them gets sentenced to prison at the state, the other one remains in county jail, then we're talking about the one that ended up going to the state, going back to the day they were arrested and trying to argue that they're a state prisoner at that point when they clearly weren't. At that point, it was not known. So if you want to have a county aid program, this is not the way to do I certainly would not ... I may not have gone as far as the Appropriations Committee did on this particular program, but I certainly wouldn't go beyond it. So I am not going to support Senator Stuthman's motion. Thank you.

SENATOR CUDABACK: Thank you, Senator Raikes. Senator McDonald, motion to override.

SENATOR McDONALD: Mr. President, members of the body, I am going to vote to override the Governor's veto and the reason that I'm going to override that is...vote for the override is because if these are state prisoners, it is the state's obligation to see that that county is reimbursed for those costs. Our counties have taken cuts many, many times these last few years when we have cut aids to our counties, and every time that happens the only way they can recover those dollars is through property taxes. And there comes a time where they cannot afford additional property taxes. Gasoline and many of the things that go into producing their crops continues to go up and they're left still holding the bill, the property taxes, whether they make an income or not. So the state...it is the state's obligation to reimburse those county jails for housing state prisoners. Thank you.