

that counties are responsible for paying the medical needs of prisoners being held for criminal prosecution. No question about that, the bill doesn't change that. If a county is holding someone in their jail, they are responsible for paying those costs. However, in this situation, the county has lost control over these costs. All of the criminal proceedings have been ceased. The person is committed. The state hospital then has total control over the patient. It's the hospital that makes the determination, along with a psychiatrist, as to whether the person is competent and the trial can resume upon their recommendation to the trial judge. This situation could literally last for the rest of the life of the person who is in the hospital. DPI also mentions that he wants to ensure a person's right to a speedy trial, and that defense attorneys perhaps will seek delays to gain a strategic advantage. It is the state hospital that determines the competency, not the defense attorney. The county certainly has no interest in keeping the person at the state hospital one day longer than is necessary, but the county has no control over those expenses. In other words, it's a mental health commitment and should be paid by the state under existing statute. The current procedure creates huge budget problems for the counties. There is no way that the county can anticipate what those expenses are going to be. If a county gets billed for an unexpected \$40,000 a month, that's \$40,000 a month they are going to have to cut somewhere else in their budget, essentially to supplement what they believe is a state function for providing mental health. Thank you very much, and I would hope that you would see your way clear to voting this to Select File.

SPEAKER WITHEM PRESIDING

SPEAKER WITHEM: You've heard the closing. The question before the body now then is the advancement of LB 256 to E & R Initial. All of those in favor vote aye, opposed vote nay. Record, Mr. Clerk

CLERK: 29 ayes, 0 nays, Madam, Mr. President, excuse me, on the advancement of LB 256.

SPEAKER WITHEM: LB 256 is advanced. Mr. Clerk, LB 256A.

CLERK: LB 256A by Senator Hudkins. (Read title.)
Mr. President, I have no amendments to the bill.