

February 6, 1991 LB 189

PRESIDENT MOUL: Senator Chizek.

SENATOR CHIZEK: The reason that is is they're not covered. Everybody else that's a member is covered by the law, they are not.

SENATOR WARNER: If...

SENATOR CHIZEK: So here's somebody on the board making a decision, you, as running a county jail, or Senator Kristensen running a county jail, you've got somebody who is a participant in running...or being involved with corrections who is making a decision as to what you have to do and don't have to do and they're exempted from it.

PRESIDENT MOUL: Thank you, Senator Warner. Senator Schmit.

SENATOR SCHMIT: A question of Senator Chizek if he would yield, please. Senator Chizek, is there anything in this bill that will make it more difficult for certain counties to comply with the standards that have been established relative to the construction and operation of jails?

SENATOR CHIZEK: No. The counties, in fact, Senator, some people you and I both know had brought me the bill three years, four years ago when we first started, and, like I said, the amendments that everybody wanted was in this bill, 189, and the thought was that it was becoming very cost prohibitive to deal with some of the requirements without any input basically from the counties and so on.

SENATOR SCHMIT: Will you state for the record, Senator, how the jail standards are established and by whom and how frequently they are subject to review or to a revision?

SENATOR CHIZEK: I think basically it's done...the board reviews federal law, Senator, and as there may be changes there, they may adopt certain rules and regulations that were apropos to it. So whether that's done twice a year, once a year by the board, I don't know what it would be.

SENATOR SCHMIT: But it would be possible then for the Butler County Jail to meet the standards today and six months or a year from now not meet the standards by virtue of a revision of the