

SENATOR V. JOHNSON: We did have a rule change to that effect, that you don't have to sit in your seats when we are on Final Reading and when we've finally gotten the bill amended, as I recall. We got the move back, as I recall. So you have to sit your seats until you are successful or are not successful, Senator Hoagland.

SENATOR HOAGLAND: Thank you, Senator Johnson. Let me describe this amendment. You will recall we had, when Senator Lamb was in the hospital about two weeks ago, Senator Hefner offered, for Senator Lamb, this amendment. And those of us in the Judiciary Committee opposed this amendment because of the \$410,000 fiscal note. Now Senator Lamb and I have gotten together and the amendment has been rewritten so it has no fiscal impact. And you have on your desk a copy of a letter from Bob Keller, confirming the fact there is no fiscal impact. And Xeroxed on the reverse side of that sheet is a summary of what the amendment does. The amendment is a good amendment. Again, the only reason we opposed it two weeks ago is because of the fiscal impact, but now we've ironed out that problem. What the amendment does is it makes pretrial diversion programs much more readily available to county attorneys in the less populace states, or counties, sorry, counties of 25,000 population or under, by indicating that if they want to put a defendant on pretrial diversion they can tap into the existing probation officer to supervise that defendant for them. And the concern, of course, was that the probation officers are overloaded and this would require new probation officers, hence the \$410,000 fiscal note. And the proposal now has been altered so that it specifically states that for a probation officer to be required to take on one of these people it has to be consistent with his existing caseload, and it cannot result in the addition of any new probation officers to the system. So we've worked it out. We're asking your leave now to bring the bill back, LB 529 back to Select File for purposes of adding this amendment. There are also some other technical changes in the amendment to incorporate present practice of the probation administration, one of which, the most important one of which is discussed and described in this handout. So if there are no further...if there are any questions of either Senator Lamb or me, we would be happy to try and explain them. I'd ask the return of the bill to Select File for purposes of the adoption of AM2548. Thank you,