

April 5, 1982

LB 568, 799A  
LR 314, 315

SENATOR LAMB: Motion is the adoption of the Nichol amendment. Those in support vote yes, those opposed vote no.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Record.

CLERK: 34 ayes, 0 nays, Mr. President, on the adoption of the second amendment.

SENATOR LAMB: The amendment is adopted. Next amendment please. Please read material into the record.

CLERK: Mr. President, very quickly, a study resolution offered by the Revenue Committee (Read LR 314). LR 315 by the Revenue Committee calls for the study (read LR 315). New A bill, Mr. President, by Senator DeCamp, LB 799A, (Read title).

Mr. President, the next amendment I have is the Haberman-Hoagland-Nichol amendment, do you want that one or not?

SENATOR NICHOL: Which one is that?

CLERK: It is the one that I thought you were talking to before, strike the Newell-Koch-Kilgarin amendment to the committee amendments.

SENATOR NICHOL: Yes, that is the one we want.

SENATOR LAMB: Senator Hoagland, on the amendment.

SENATOR HOAGLAND: Mr. President and colleagues, this amendment has been, as far as the substance is concerned largely argued in the statements that Senator Nichol and I made in opposition to Senator Newell's amendment to the earlier amendment. What this amendment does is strike an amendment that was attached on General File that was sponsored by Senators Newell-Koch-Kilgarin that allowed persons charged with DWI to be diverted into a pretrial diversion program on one occasion. We are striking the language so that we would restore the committee language ~~disallowing~~ entirely diversion in the pretrial diversion programs for persons convicted or rather charged with DWI. Now I think that we have talked to a lot of you personally about this and there is really no need to go over it in detail. It's simply our feeling that as good as some current pretrial diversion programs are, particularly the one in Sarpy County is indeed an excellent program, there is no reason those ~~probationary~~ resources can not be offered to persons as a condition of probation after they