

SENATOR LINDSAY: Sarpy County is.

SENATOR BROMM: And how are they doing that or in view of the statute as it's written?

SENATOR LINDSAY: I have not dealt with any since the first of this year when ALR took over. I haven't had any handling done in Sarpy County.

SENATOR BROMM: Senator Lindsay, I'm talking about the statute you're amending with this bill which is 29-3604...

SENATOR LINDSAY: Umm, hmm.

SENATOR BROMM: ...which says that no person charged with the violation of 39-66907, which is driving while intoxicated, or 39-66908, which is implied consent, shall be eligible for pretrial diversion. There are programs established under this chapter.

SENATOR LINDSAY: Umm, hmm.

SENATOR BROMM: Now, Senator Abboud's statutes aren't necessarily up to date here, but if that hasn't been amended, how can they have a pretrial diversion program?

SENATOR LINDSAY: My understanding is that they were grandfathered into it, but I've run clients through it so I'm aware that they have it.

SENATOR BROMM: I've heard that also. Well, this has been in law since 1982 and so apparently that's a policy decision that this body made at that time and it's deterred apparently most counties or at least if we looked at it I think in our county, we would conclude that we couldn't do it with that statute in place. And so I don't think it's something that we should change lightly and I do apologize to Senator Lindsay for this thing kind of flying through on the first reading...

PRESIDENT MOUL: One minute.

SENATOR BROMM: ...and I think it points up the real value of the three readings of the bill, and so forth, and the process, because I don't think, honestly, it's not because of the people out behind the window that I'm concerned, but it's because I