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April 17, 2002 LB 1303
 LR 458

Committee. That's all that I have, Mr. President. (Legislative Journal pages 1728-1729.)

SPEAKER KRISTENSEN: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR 458. Next item?

CLERK: Mr. President, Senator Synowiecki would move to amend the bill. (FA1095, Legislative Journal page 1729.)

SPEAKER KRISTENSEN: Senator Synowiecki, you're recognized to open on your amendment.

SENATOR SYNOWIECKI: Thank you, Mr. Speaker, members. This conversation with regard to CDL license holders and their inability to access these diversion programs really started on General File with some questions I had. This concern then carried over to this morning. I introduced an amendment to the bill regarding the restricted access to diversion programs to CDL holders that were driving in a professional capacity at the time of the citation, and my intent behind that was for those that have a CDL license who are driving "recreationally", you know, a Sunday drive, taking the family to a movie or something, that they could then access these programs. Senator Bromm had concern, legitimate concern I might add, that that type of amendment might place in jeopardy some federal funding that we receive, I believe through the Department of Roads or through a Roads project funding, that we receive from the federal government. So after consultation with Senator Bromm, we have arrived at what I believe can be characterized as a compromise amendment to this situation with regard to the CDL holders. If you look to page 5, Section 8, the amendment would read: Any driver holding a commercial driver's license issued pursuant to sections so-and-so shall not be eligible to participate in a program under Sections 5 to 9 of this act if such participation would place...if such participation would be in noncompliance with federal law or regulation and subject the state to possible loss of federal funds. So it does kind of open the door a bit for CDL holders to possibly access the diversion programs if such participation does not place in jeopardy any of the federal funds received by the state. And with that, I would...if