

March 10, 1982

LB 568

CLERK: Mr. President, Senator Koch would move to amend the committee amendments, Request 2666. (Read the Koch amendment as found on page 1096 of the Legislative Journal.)

SENATOR CLARK: Section 2?

CLERK: Striking Section 2 of the committee amendments, yes, sir.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Mr. Chairman and members of the body, as you well know and Senator Nichol can assure you of this that the section I am trying to restate is the pre-trial diversion. We have a number of people particularly in the area in which I live and Lancaster County is one, they have pre-trial diversion. Sarpy County has pre-trial diversion and I think Douglas County does as well, and that is what we are attempting to do, Senator Kilgarin and myself, and we are doing it on behalf of some county attorneys, and I would hope Senator Nichol wouldn't be too unfriendly to this amendment because they feel that the programs are valuable, they have been in place for quite some time and I think they have demonstrated that they do indeed perform a service in the area we are speaking about today. So I am asking for the adoption of this amendment.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: Thank you, Senator Clark. I rise to support the amendment to the committee amendments on pre-trial diversion. I think that we have some very good programs in this state going on pre-trial diversion. I know in Sarpy County the pre-trial diversion program lasts usually about six months. And some of the requirements of that, just to give you an idea of what we would be doing away with if we left Section 2 in its requirements that they attend AA meetings two to four times a week, community service and reporting in to the probation officer at least once a month, and this goes on for six months. They get intensive alcohol training and education and I think it is a very good program in Sarpy County and I think Lancaster County has a fairly good program also. And I would hate to see a program that is working be eliminated with one provision like this. So I would urge you to support the amendment. Now, Senator Nichol brought up a point to me that I thought was very interesting. If Section 2 remains in our LB 568, we will be allowing pre-trial