

March 10, 1982

LB 568

There is an amendment that will be added to this amendment shortly which gets to the point Senator Nichol....

SENATOR CLARK: You cannot add an amendment to this amendment, that would be out of order.

SENATOR KOCH: Well, I am sorry there is an amendment forthcoming. I want to clarify what we are going to do.

SENATOR CLARK: All right.

SENATOR KOCH: We are speaking now about those counties which have pre-trial diversion and they have had it in place for quite some time and they have had some excellent records, and so what we are attempting to do is to make certain that the counties that offer these programs will be able to continue these programs because it does offer an alternative. To solve the problem that Senator Nichol is speaking to, Senator Newell, Senator Kilgarin and myself will offer an amendment so that when you are charged DWI that there is a charge that is noted to the fact that you have been charged so the record will be made clear but you will still have the choice of pre-trial diversion. So I ask that you adopt this and Senator Kilgarin would like to speak to the issue for a moment as well. Thank you.

SENATOR CLARK: The question before the House is the adoption of the Koch amendment. Senator Kilgarin, for what purpose do you rise?

SENATOR KILGARIN: I believe Senator Koch yields the remainder of his time to me.

SENATOR CLARK: To you?

SENATOR KILGARIN: I believe so. And....

SENATOR CLARK: You have a minute and fifteen seconds.

SENATOR KILGARIN: Thank you, Senator Clark. I ask unanimous consent to withdraw the original amendment for a replacement amendment which has been placed on the Clerk's desk, as I understand it.

SENATOR CLARK: The original amendment is withdrawn.

CLERK: Mr. President, in that case I have an amendment from Senators Kilgarin, Koch and Newell to amend the committee amendments. (Read the Kilgarin, Koch and Newell amendment as found on page 1096 of the Journal.)

8668