

other bills that did the same thing, mandatory jail. Mandatory jail. Going to get tough on the criminals. Well I think as Senator Chambers has pointed out and others they won't even go to court. They won't even be picked up. They will probably be turned loose because the arresting officer knows that he is just wasting his time, whereas otherwise he might have been taken off the streets he will probably be turned loose on the street without any supervision and maybe injure somebody else or themselves. So, I would hope that you would take a good long look at what you are doing and certainly I agree with Senator Marsh, the second or third time, that is a different story. First time I think you ought to take a good look at it.

SENATOR LAMB: Amendment to the amendment.

CLERK: Mr. President, Senator Newell would move to amend the Haberman-Nichol-Hoagland amendment by adding the following new section. (Read Newell amendment).

SENATOR LAMB: Senator Newell.

SENATOR NEWELL: Mr. President, members of the Legislature, not to take too much time here but to explain what this proposal does. There has been some criticism by Senator Nichol, Haberman and Hoagland in regards to how the pre-trial diversion system would work. Since it is their intent to offer an amendment later to strike the pretrial diversion system, which I am very much opposed to, I want to offer this amendment to clarify some of their concerns so that we won't argue about fears of what might happen, we argue whether or not the pretrial diversion system is good or bad. So presently the law, the bill as it is written, has pretrial diversion. That pretrial diversion system can and will work with this amendment. And, if they strike the amendment later, then that is done and if they don't then this will insure that the pretrial diversion system will work and work effectively with reporting, with some information to county attorneys and prosecutors and judges. So with that I would urge the body to adopt this amendment.

SENATOR LAMB: New lights on the Newell amendment. Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I propose to you that this won't work. It doesn't matter where you keep a record, you are not keeping a record of anything. Now without an offense, without a charge being filed and with nobody found guilty of anything there is no