to the incremental penalties that are set out in 568. Now, there are a number of additional problems with it. What if you are arrested in a county that does not have a pretrial diversion program. All right, then the first offense you are facing the mandatory license suspension, second offense 48 hours in jail and third offense is seven days in jail. Whereas if you are arrested in Sarpy County which has an excellent pretrial diversion program or some other county with a pretrial diversion program suddenly you have got two bites at the apple before spending that 48 hours in jail instead of one. Now if you are further fortunate to get arrested in another county that has a pretrial diversion program where track is not being kept of the fact that you participated in a previous pretrial diversion program, then you have three bites at the apple. You could then get arrested again and have four bites at the apple. So the problem is, the availability of the pretrial diversion really significantly interferes with the effectiveness of the legislative judgment that we are making in 568 that you ought to have one chance and that is it. On your second offense you get the taste in jail and on third offense you get the seven days in jail. If we are truly going to have a strong drunk driving law that is going to deter people from driving while intoxicated and reduce accidents and reduce deaths I don't think we can go with a pretrial concept. So I urge you to reject Senator Newell's amendment. Thank you.

SENATOR LAMB: Senator Hefner.

SENATOR HEFNER: I call the question.

SENATOR LAMB: The question has been called for. Do I see five seconds? Yes, I do. Those in support of ceasing debate vote aye, those opposed vote no.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Record.

CLERK: 25 ayes, 5 nays to cease debate, Mr. President.

SENATOR LAMB: Debate has ceased. Senator Newell to close.

SENATOR NEWELL: Mr. President, members of the Legislature, I kind of feel like I ought to ask Pat to read the amendment again because we had two fine speeches. Two fine speeches in preparation of their amendment to take away the pretrial diversion system. That is not what the amendment