

April 5, 1982

LB 568

SENATOR NICHOL: Yes, I did, Mr. President. We handled pretrial diversion. It is not in the bill now. If the Senator, what's his name, Newell wants to furnish a report to somebody of the pretrial diversion handling in Sarpy County, it is all right with me, but I don't think that he can put the pretrial diversion situation back into his motion. If he wants to make a report on pretrial diversion I don't have any objection to that. But it is not in the bill and I don't know why he'd want to be doing that.

SENATOR LAMB: Senator Chambers.

SENATOR CHAMBERS: (No response).

SENATOR LAMB: I believe that we will just proceed. Senator Newell, do you care to close on your motion?

SENATOR NEWELL: I'd like to finish opening on my motion. I know the hour is late and I would like to get a vote on this and it is a very serious amendment. But, we did stop in the middle of my opening and I . . .

SENATOR LAMB: Proceed, Senator Newell.

SENATOR NEWELL: I will be brief, Mr. President. The motion here is to not only include in the provisions of the bill the allowance of a pretrial diversion mechanism but also to deal with the reporting arguments that Senator Nichol and Senator Hoagland have brought up before us. Frankly that has been the essence of the issue before. They said that it is not workable, that it is a loophole and I have dealt with those issue by requiring the county attorneys to deal to send a list of those who have successfully completed the program to the Department of Motor Vehicles and to distribute that list to the county attorneys throughout the state. That is the essence of this. We no longer have the concerns that was brought up earlier that there is no way to deal with the issue or to deal with the reporting mechanism. This is a good program. I would urge this Legislature to adopt it.

SENATOR LAMB: The motion is the Newell amendment. Those in support vote yes, those opposed vote no.

CLERK: Senator Lamb voting no.

SENATOR LAMB: Have you all voted? Have you all voted? Record. Senator Newell.

SENATOR NEWELL: Mr. President, I would like to have an