

make those determinations. I'm comfortable that the Department of Public Institutions needs that flexibility. If we adopt Senator Beutler's amendment, we're heading back more to where I think we were now that caused the problem, if those offenders who aren't cooperative they know that they have to wait for the Sentence Review Committee to meet, under the present system, they can play that for a few...

PRESIDENT MOUL: One minute.

SENATOR KRISTENSEN: ...more months and take advantage of it. And, Senator Beutler, I think I'm going to oppose this amendment, primarily because, at this point in time, the appeal already exists on the front end that they can do it. This would be an unnecessary step. I think the court section, in Section 6, that you referred to is a necessary step because it allows us to set up a treatment program for them. With that, I'm going to oppose this amendment because I really think that it retreats on what the purpose of the bill would do. It's one of those amendments that I think if people adopt, you start to destroy the internal integrity of the bill and I'm not prepared to do that at this point. I would oppose the amendment. Thank you.

PRESIDENT MOUL: Thank you, Senator Kristensen. Does anyone else wish to speak to this amendment? Seeing no one, do you have closing, Senator Beutler?

SENATOR BEUTLER: Madam President, members of the Legislature, this is a relatively narrow matter. And, again, to explain it to you, all it's saying is that if the court, over the objections of the Department of Institutions, has said that a particular individual is appropriate for treatment then, under later provisions of the bill, you ought not to allow the Department of Institutions to turn around and, on basically the same criteria, say, no, he's not going to be treated by us notwithstanding the order of the court. All I'm saying, with this amendment, is that if the court says he shall be treated then the court ought to have something to say about any decision by the Department of Public Institutions, once he's in the course of treatment, as to...as to the severing of that person from the treatment program before its completion. That's all this amendment does. Thank you.

PRESIDENT MOUL: Thank you, Senator Beutler. We will now vote