

the judge would review that in, and then at sentencing at that point they can use that to say, yes, you want to, oh, I want you to follow through on the assessment or they could also say, aah, there's nothing there, you don't need to, it's just a straight sentencing on whatever the terms of the sentence would be in the judge's discretion.

SENATOR ASHFORD: Thank you, Senator Bernard-Stevens.

SENATOR WARNER: Senator Crosby.

SENATOR CROSBY: Thank you, Senator Bernard-Stevens, thank you, Senator Warner, and thank you. I noticed that Senator Bernard-Steve up there, David, on the computer, it's Senator Bernar Steve, a new twist. I do appreciate your bringing this and re.ning that section just a little bit. I think they have something like this and maybe even a little more in Sarpy County and I think it works pretty well there, so I am pleased to support this particular part and this amendment and I do...I guess, I was listening with your exchange about whether or not it actually would be in place for everybody. I think that...did I understand you correctly that the judge still has discretion. It wouldn't necessarily? I didn't...

SENATOR BERNARD-STEVENS: Senator, if that's a question to me, that the judge would have to review the assessment and my comment was if during that assessment by reading that the judge determined that there was not an alcoholic or an alcoholism problem, they don't have to follow through with that assessment. They could use their judgment on that portion.

SENATOR CROSBY: Okay, and the assessment is what would be at the defendant's expense, correct?

SENATOR BERNARD-STEVENS: Correct.

SENATOR CROSBY: The assessment, yeah, so I think that's a good idea and I don't see anything wrong with that, so thank you. I'll support the amendment.

SPEAKER BAACK PRESIDING

SPEAKER BAACK: Thank you, Senator Crosby. Senator Hall.

SENATOR HALL: Thank you, Mr. Speaker, members, Senator