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April 10, 2003      LB 46

SENATOR CUDABACK: Thank you, Senator Brashear. Senator Synowiecki, you have about two minutes.

SENATOR SYNOWIECKI: Thank you, Senator Cudaback. Thank you, Senator Brashear. Real briefly. I just think that the program procedures that's in place from the jurisdiction I came from, much more relaxed, much more informal, and much more, bottom line, efficient. Yes, we involve the court. Very minimally, though. Very minimally. A signature on an order is the involvement of the court. No court time, no formal court time is taken. Just a signature on an amended order. That's the only court involvement in this process. Very minimal. The only time the court would interject further is if they disagreed with the relapse program, and then they would bring the defendant back in. But that would be totally up to the court at that point. And also, we spoke a little bit on General File about the potential of exposure of liability to probation officers with this added duties here in the statute. The court is insulated from civil liability, and probation officers are not. Thank you.

SENATOR CUDABACK: Thank you, Senator Synowiecki. Senator Brashear. And you may close if you wish to. Close, or you may speak, Senator Brashear.

SENATOR BRASHEAR: Well, let me do the practical thing. Let's say that I'm speaking, and then if I decide to waive closing, see, I can still...

SENATOR CUDABACK: Whatever you wish to do.

SENATOR BRASHEAR: ...do that.

SENATOR CUDABACK: Whatever you wish to do.

SENATOR BRASHEAR: I have some newly developed...it's certainly not new...but newly developed information I'd like to share with you. Because I sometimes think that the "gee whiz" facts, or the data, as I call it, illustrates why we're doing things. Much of the focus and the intent of LB 46 was to suggest that a