

CLERK: Madam President, the first amendment to the bill is by Senator Kristensen.

PRESIDENT MOUL: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam President and members of the Legislature. Unfortunately, this is a bill that was part of consent calendar the first time around, and I did not have the opportunity to get up and to speak on it or have, I guess, spend enough time to take a real good look at it. And upon hearing Senator Lindsay's last discussion, as I was coming up the stairs to hear it, it caused me some time to take a look at it, and thus I filed this amendment to at least get the bill stopped so I could discuss it a little bit with you. And, as I recall Senator Lindsay's comments about this, it does allow for us to create a pretrial diversion program under the approval of the court. But that is for drunk driving, and my concern is that this does jeopardize us with some federal funds. If we create the diversion program, it also is a major change in drunk driving legislation for the State of Nebraska because the law basically is that if you're charged with drunk driving or refusal that you...we don't have many of those programs, I guess, around the state, except we've got two. I think they jeopardize our federal funding. I'm just trying to look and read the bill at the same time as it comes up. But, basically, we've been in contact and I've seen correspondence and I think Senator Hudkins may have passed out some correspondence here from the Regional Administrator of the Highway Traffic Administration that talks about the federal funds that we may be in jeopardy of under our system, because we allow for these pretrial diversions. In effect, you get a free bite of the apple. I used to have pretrial diversion programs for minors. And I would use such programs as shoplifting, MIPs, and so on, to do it. And there are several of those juvenile programs running around the state. But if you're going to take on the responsibilities of driving as an adult, I think that the pretrial diversion program flies in the face of what we've been trying to do in the area of drunk driving. Given that, plus the loss of the federal funds that I think we face, and the increased cost of doing this, I have seen a letter from the Department of Motor Vehicles talking about the loss of revenue from reinstatement cases. This would cost us some monies here in the neighborhood of \$125,000 lost revenue and reinstatements by not having these people lose their license for the first