

license at the end of that 30 days if the county attorney has never filed the charge. That's the reason I'm interested and then I guess next, Senator Hall, the gentleman that you spoke to at the Federal Highway Administration, was he aware of our judicial bypass of the...could I have Senator...

SENATOR HALL: Madam President and members, Senator Kristensen, I did not raise that issue with him, but to respond to..and I had my light on to respond to your motion so I'll speak at that time unless you want me to...

SENATOR KRISTENSEN: No, that's fine and that's not designed to be a trap, but I guess it goes to what I'm going to do with the bracket motion is, is that we have a unique part of the ALR and that's a judicial bypass. That's something that isn't in every ALR statute but that if a charge isn't filed, that ALR doesn't go into effect because in some states that can occur and that bypass and having that bypass in our law and if you have the diversion program and the county attorney never files the charges, that probably even raises my suspicion a little bit further that we may, indeed, run afoul of the federal mandates or, or not the mandates, but the federal funding that we're relying on to make the system work and if I don't want the system to work then I guess I don't care about the funding, but I do, and so I'd like to bracket this bill till we have a chance to fully present the bill. I want any amendments that Senator Lindsay put in there to fix it because if Senator Lindsay can get the bill to the point where it won't affect the federal funds, then it's a legitimate policy choice for the Legislature to make, do I want diversion or don't I want diversion, and you have no adverse impact of federal funds so the carrying out of ALR isn't jeopardized by loss of federal funds. So I guess I would certainly want to see the bracket motion put off. We can take a look. I'll work with Senator Lindsay, let's find out what his amendment would do so it wouldn't bother ALR and then present that to the federal people instead of taking a risk over a phone call to D.C. or a hastily drafted letter to us from a regional administrator, let's find out what the facts really are and, until that point comes, I guess I'm fairly uncomfortable and would like to see the bill not advance because I don't want to take that risk. If we do take that risk and we're wrong, you'll lose the money for the system. If you lose that money, your appeal process probably doesn't work and you've got other processes that rely on that federal money. If you lose it, it's gone and that's just another way to attack ALR. I take Senator