

Chambers, Lindsay and Wehrbein.

SENATOR WITEK: Mr. Speaker, members of the Legislature, Senator Lindsay, could you answer just a few more questions.

SENATOR LINDSAY: Absolutely.

SENATOR WITEK: I guess I'm reading through some of the material from the newspaper, and I'm just wondering if these connect at all. There was an article on the individual who ran over a 74-year-old woman intentionally and killed her with his pickup truck, and was convicted of second degree murder at that point. I guess I am wondering to myself, when we had this discussion in my home at the time, because I think that was about the time this crime bill came out of committee, and it was also in the paper. If an individual, I guess Senator Chambers' argument is that we couldn't...we couldn't have this individual convicted because of his consumption of alcohol, more or less. He has made a decision to consume alcohol and get into a vehicle and he isn't intentionally trying to kill someone at that point but he has consumed alcohol, gotten into a vehicle, and killed someone. So the discussion we had at that time at home was what if someone got into a vehicle, killed someone, and then consumed alcohol to a great degree, quickly, before they were arrested at that time. Would they...if you get at what I am trying to get at, I understand that he believes that people aren't intentionally getting into a vehicle after they have gone ahead and drank alcohol to a level where they are legally drunk and then gone and intentionally killed someone, but there...that possibility exists, wouldn't it, if that were the case?

SENATOR LINDSAY: I think what you're...the intention, when you talk about this, an intentional crime is one where you intend to commit that act that results in...you don't have to intend the result but you have to intend the act. And I believe, and Senator Chambers can correct me if I'm wrong, but I think what he is saying is the person intends to drive a car but doesn't intend to hit someone with it. Whereas,...

SENATOR WITEK: But how do we determine what their intention was when they got into the vehicle if that were the case? If you get what I am saying, I mean we need to know...

SENATOR LINDSAY: Do you mean in the case that you were talking about?