

Senator Hefner says you just slap the people on the wrist a little bit that are not making it work. I would suggest that perhaps Senator Hefner might have a little personal interest in this and I can certainly understand that but it seems to me, and I want to point out one thing to Senator Hefner. Did you realize that a Class IV is the only one that has a minimum in it? The judge has no discretion other than to fine him a minimum of \$100. A Class III or a Class II there is no minimum at all.

SENATOR NICHOL: Were you asking a question of Senator Hefner?

SENATOR VICKERS: No, I am not, Mr. Chairman, but it just seems to me that if we are going...if the intention is to make this program work this is sure a good way to do it so I guess maybe what I am saying is that in the end I am going to support Senator Hefner on his motion, on his amendment. We will just kind of tap them on the wrist a little bit and it will make the public that much more incensed. I didn't do it a little bit ago but I would like to point out that Senator Beutler and Senator Wesely sent a letter around from a judge, one letter from one judge saying the program is good. I could wave a whole sheaf of letters and a list of like three or four hundred signatures on a petition of people saying it is no good so I guess the decision is, do we want to listen to the public or the bureaucrats and the judges? It is that simple.

SENATOR NICHOL: Was there anyone else that wished to speak to the amendment by Senator Hefner? Senator Hefner, did you wish to close on your amendment to the amendment?

SENATOR HEFNER: Mr. Chairman, I would like to offer a substitute amendment to this amendment. I ask unanimous consent to withdraw the first amendment and this amendment says that it would be a Class IV misdemeanor on the first violation and a Class III on the second violation.

SENATOR NICHOL: Senator Hefner, you are wishing to withdraw your first amendment to the amendment?

SENATOR HEFNER: Yes.

SENATOR NICHOL: Is there any objection to that? If not, so ordered. Now we can go to your second amendment.

SENATOR HEFNER: Okay, what this amendment would do is on the first violation it would be a Class IV misdemeanor charge and the reason I am doing this because this would strike the prison charge. Then if he violates it a second time, why then the judge could sentence him to the Class III misdemeanor