

can maintain the public perception that the law is tough and that the law is being enforced we will see a reduction in accidents and we will see lives saved. As soon as the public begins to perceive that either it is not a particularly tough law or it is not being enforced then accidents are going to go back up again. The principle purpose of this amendment is to make this a tough law so that it is in fact a tough law and we are confident and we are hopeful that the bill passes in this form why the public perception that we have a tough law will continue in place because if police officers will enforce the law and the media will publish the fact that the law is being enforced. That is the purpose of this amendment and we urge your support. Thank you, Mr. President.

SENATOR LAMB: Senator Sieck, on the amendment.

SENATOR SIECK: Mr. President, members of the body, I have some reservations about this amendment. I want you to look at the second conviction. It says mandatory 30 days in jail, \$500 fine, license suspension for one year. But, if probation is granted, then he is going to get 48 hours in jail and his license suspended for six months. I question whether they can make this stick as far as the 48 hour mandatory jail sentence. I question it very much. What we want to come out of this, on this legislation, we want something that will work that the authorities can make work and stop the drunken driving. But, if we get it too strong we will not get it enforced. If this amendment passes, I'm still going to support it because I want something that will work, but I don't approve of this amendment. The same way with the third offense. He is going to sit in jail regardless. I like the difference. He is going to have to take alcohol treatment and I've got much, much literature on this. It does some good. Sarpy County can prove that in pretrial diversion. They are doing an excellent job in that area. But, it will not work in our other parts of our state. So I can't support the pretrial diversion. But the probation will work. He is either going to take probation or he is going to go to jail and he is going to pay that high fine and he is going to lose his license for many months. So he is going to take probation. When you take probation he is going to have to try to cure his problem. That is what this is all about. We have got many, many people on the highways that are drinking and we have to make them realize that that is wrong. But I question whether we can make this law work. That is why I am going to oppose the amendment.

SENATOR LAMB: Senator Haberman.