

SENATOR HIGGINS: So you believe just by being judged intoxicated, by being 1.15 on the scale you should pay a penalty.

SENATOR NICHOL: It is 1.10, yes. . .

SENATOR HIGGINS: A fine and a penalty and going to jail.

SENATOR NICHOL: Yes.

SENATOR HIGGINS: So you believe this law should have penalties and fines, just for driving while under the influence.

SENATOR NICHOL: That is right, let me explain why. Just a short sentence. The reason is there are other penalties and fines for other things other than drunk driving. For example, if you run over and kill me you would probably be charged with manslaughter, which are other charges beyond what we are dealing with here.

SENATOR HIGGINS: Right, but without any doing any bodily harm to anybody or doing anything that would be life threatening, nobody is around, give them a fine and give them a penalty and throw them in jail sometimes.

SENATOR NICHOL: Yes.

SENATOR HIGGINS: Thank you, Senator Nichol.

SENATOR LAMB: Senator Chambers on the amendment.

SENATOR CHAMBERS: Mr. Chairman, Senator Wesely is trying to make that proverbial silk purse out of a you know what. I'm going to support his amendment as a token gesture in the right direction. But, I still think this bill is a travesty. You will notice that in response to Senator Higgins questions, Senator Nichol had to emphasize without probation, because probation makes it something different, so there is still the escape hatch. When they talk about loopholes, big as the size of a doughnut, those have been built into the bill by way of probation and those who are favored will get the probation. You have to look at what the maximum amount of damage is that is allowed by the law. Senator Wesely is trying to mitigate that. There will come another set of circumstances where we will be talking about not putting people on welfare. Not making it impossible for a man to support his wife and children. But, then when we come to a situation where we can create an impossibility of him doing those things we disregard the rest of the picture. The problem when you start going past five o'clock in the evening in the Legislature is that