

SENATOR CHAMBERS: They tell you how merciful God is and how forgiving He is and how loving He is. You are His children, you are supposed to reflect some of that sometime. How happy do you think He is to look down here and see you trying to get a bigger club to raise a bigger knot on somebody's head. I just can't understand it. I think what we ought to do though is move to adjourn and let everything simmer for awhile. I know that motion is not proper while we have something to be voted on. But after Senator Wesely gets his vote, then I have a motion that I am going to make.

SENATOR LAMB: Senator Wiitala.

SENATOR WIITALA: Thank you, Mr. Chairman. I'm not going to speak directly to Senator Wesely's amendment, but really to the conversation that came out regarding it. If it is possible, Senator Nichol, would you yield to a question?

SENATOR LAMB: Senator Nichol.

SENATOR WIITALA: Senator Nichol, under the auspices of LB 568, first offense, when I was talking to you you said that it would be left up to the judges discretion whether a person served time in a jail or whether he would grant probation. How much time could a person serve on a first offense?

SENATOR NICHOL: Without probation?

SENATOR WIITALA: Yes.

SENATOR NICHOL: Seven days in jail.

SENATOR WIITALA: Okay, now I remember when Senator Stoney asked this body to..thank you, Senator Nichol. Members, I remember when Senator Stoney asked this body to reconsider his bill which was killed, and in talking to him I said I would support bringing that bill to the floor if on a first offense that did not require a person to serve time. I feel the same way about LB 568. It would be so easy to set up a person on a first offense. That is one of the reasons I feel that if you are going to put a person in jail, first put them on notice on that first offense and the second offense, you know we are justified in incarcerating him. I believe in that. I believe in when a person is picked up DWI involving a bodily injury that he should receive a jail sentence immediately on that first offense. But, I think we have to be very, very careful that we are not laying all kinds of ground work for quasi entrapment