

to our satisfaction, and that procedure was that, yes, we did raise the penalty to one year that you would withdraw a person's license for refusing the test, but you gave the option to that individual to come back within a reasonable period of time and plead guilty or no contest to a guilty verdict and, thus, bypass the refusal penalty of one year and get the conviction under our statutes and suffer the penalty under the conviction of DWI. The idea was that the reason we want people to take the test is to be able to find that they are, in fact, drunk and driving, and then we can penalize them on that side of the law as severely as we possibly can to try and again stop that practice, to stop that individual from doing it again. And when they don't accumulate DWIs, when they never get past the first or never get to the first, they end up without having adequate penalty. So I talked to Fred Zwonechek not too long ago, who said that that change that Senator Hall and I had agreed to had made some great impact and that we had seen a real drop in refusal to take the DWI test. And now I understand what this bill does is not allow for that option, to not allow an individual who refuses to take the DWI test and then to plead guilty, to not allow that to then wipe out that implied consent penalty, and to encourage that action, I think we need to look at that particular issue. In addition, I know it does take up a number of other items dealing with immediate revocation of license, and there is some virtue, I think, to anything we can do to drive home the point that drinking and driving is not tolerated by our society, and so I would at least consider an option in that direction, and I think pretty likely support it. But I think at this point I am raising some issues and I think Senator Hall is raising some legitimate issues about a major change here, and I think we probably need to spend a little more time refining and fine tuning this issue and, hopefully, take this piece of legislation and improve upon it. I am merely raising that issue as a forethought that we need to have further discussion and perhaps an amendment. I am not ready to prepare or offer one at this time, but I think if the bill does advance, I will be working on one for Select File.

SPEAKER BARRETT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President, and members. Again, I rise in opposition to the bill because I, to date, have not heard outside of the fact that there are 29 other states who currently follow this procedure any basis for a change in our current system. What you are doing is you are taking the