

ASSISTANT CLERK: Mr. President, Senator Lindsay would move to amend the bill. (See FA377 on page 989 of the Legislative Journal.)

SPEAKER BARRETT: The Chair recognizes Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. President, and members of the body. This amendment is fairly simple. What it would do is on page 13, line 14 of the bill, after "days", it would insert "and shall impose the following penalties:." It just simply inserts the language for first, second, and third convictions for refusal to submit. And then it also, on page 20, line 25 after "permit", it inserts the language, and this is in the event that the director finds that there was no refusal, "and shall release the person from custody and refund the fine." All this is doing is putting into effect the other half of what we are doing. Right now the penalty for refusal to submit is you lose your license. What we are doing is putting the other half of that penalty that you also have under current law, and that is the imprisonment, 7 days imprisonment on first conviction and a \$200 fine; second conviction, 30 days imprisonment and \$500 fine, et cetera. Let's just put that in. If it is good to take these actions swiftly and certainly without trial, let's do it. Let's don't go halfway. Let's do the whole thing. Let's impose these sentences now, rather than letting somebody be outside of jail when he should be in jail, or get away with not paying a fine when they should be paying a fine, or when they are driving when they shouldn't be driving. All this does is simply imposes those penalties and we can cure the problem, very easily. If we find that there was no refusal, the director is simply going to release that person from custody, and simply going to refund that fine. It is just putting into statute what we are trying to do except we are going all the way with it. We are including all those penalties on there. I would urge you to adopt the amendment.

SPEAKER BARRETT: Thank you. Discussion on the amendment offered by Senator Lindsay. Senator Hall, your light is on. Would you care to discuss the Lindsay amendment?

SENATOR HALL: Thank you, Mr. President, and members. I rise in support of Senator Lindsay's amendment because, basically, what Senator Lindsay is saying is that if you pass 799 even in its present form, without the Lindsay amendment, you, in effect,