

SENATOR PIRSCH: That would be from the ID to a IC.

SENATOR CHAMBERS: Right, but here is what I am getting to. Under the law right now, without having a IB in it, a person can be sentenced up to 50 years with the maximums in law right now, would you agree to that?

SENATOR PIRSCH: Correct.

SENATOR CHAMBERS: All right, so can a judge right now...let's say that you are in one of those (interruption).

SENATOR PIRSCH: But the minimum is five years.

SENATOR CHAMBERS: Let's say the...I am going to get to that...the category is where the minimum is five years.

SENATOR PIRSCH: Um-huh.

SENATOR CHAMBERS: Is the judge bound to set that as the minimum?

SENATOR PIRSCH: Yes, mandatory minimum.

SENATOR CHAMBERS: No, he cannot set it any lower than that, but is he bound to make that the minimum? Can he set a higher minimum than that?

SENATOR PIRSCH: Right.

SENATOR CHAMBERS: It can be up to one-third of the maximum. Now if the judge sentences a person to 16 2/3 years, he can do that within whether the minimum is five years, 10 years, or no years, if we had a category of zero to 50, couldn't he or she do that?

SENATOR PIRSCH: But it isn't zero to 50.

SENATOR CHAMBERS: But I am saying even it were, then he or she could still set it higher than five or 10 as a minimum.

SENATOR PIRSCH: Yes, that is correct.

SENATOR CHAMBERS: So why do you think that by saying what Senator Johnson wants to say that it is from 10 years to life