

amount of time that one could spend in jail from 30 to 60 days. I would like to see, and I requested that this be done, that we do a county by county survey of...and maybe go back a few years to see how many individuals have been given the maximum sentence on first offense. How many individuals when they go before the court, whether they be an individual who was pulled over in a roadblock, whether they be an individual who was pulled over because of another traffic violation, an individual pulled over because of a broken taillight or an individual who caused property damage or physical injury or worse yet, death, because they were driving under the influence. I want to see what that survey will show with regard to how those sentences were administered. In other words, how many of the individuals on first offense were given that maximum penalty of 30 days in jail? I think it would be extremely interesting to see just what that shows. Were they given 30 days? Was it 5 percent? Was it 10 percent? Was it 20 percent? Was it 50 percent? Was it 1 percent? Was it 0 percent which I would argue would very much be the case because the argument here is that the penalties are not stiff enough. That's the whole...if you could capsuleize what LB 291 is about, it is about the premise that our drunk driving laws are not tough enough. That's a fallacy. That's a falsehood. That is untrue. The whole issue behind having drunk driving laws that work are twofold. First of all, the penalties have to be reasonable because if the penalties aren't reasonable, the court is not going to give those penalties. They are always going to have the ability to do something less. What you are going to see from that survey, I believe more than anything else, is that the court recognizes that drunk driving is a difficult issue, that it is something that we need to address. They have done it in a number of different ways, especially through the area of probation, by having individuals attend education classes with regard to alcohol awareness, saying that this is something that will increase the awareness of the public in general with regard to the tragedy of drunk driving. They have recognized that 30 days in jail does nothing to improve the situation of drunk driving in this state and I would argue in very many states, that the maximum penalty is not given today but yet through this proposal, in this bill, we go about the process of doubling that. That's just one example of what we're doing. The other thing that we're doing is...

SPEAKER BAACK: One minute.

SENATOR HALL: ...exactly what this amendment would try to