

breath test in a criminal trial, only in the criminal trial. It would apply to administrative hearing, but it would not apply to a criminal trial. The presumption would not apply. The last change that's made is that it reduces the increase in...it reduces the jail time that is in the present committee amendments to the bill. The jail time for second offense is 30 days, this reduces that to 15 days. It still increases it dramatically from where we are now. Currently, the minimum is 48 hours, two days, this increases it by 13 days and puts it at 15 days for the minimum jail time after the second offense. Those are the changes that I'm making with the amendment, now I'm going to go through the bill or go through the committee amendments as they are in place, and then tell you what we leave in place for...under this and to show you that the DWI law in Nebraska would still be much stronger and much more stringent than many of the other states have. First of all, there would be ALR for first offense, we would have that in place. For those people who do not plead guilty to the offense, ALR would still be in effect. It...the bill would still increase the maximum penalty for first offense, that's in the committee amendments. There would be a 13-day increase in the minimum penalty for second offense, would go from two days to 15 days. You would have a new maximum penalty of 90 days for a second offense, and a new minimum penalty for third offense. Those are provisions that are already in the committee amendments. This is...this all makes our DWI law much stronger than the surrounding states have. There is also new language and new penalties for someone who injures another person if they're driving while intoxicated, that's left in the bill. It extends the...the committee amendments extend DWI to private property, my amendment does not change that, it would still do that. It leaves in place the .02 for minors. We did make the adjustment with the Beutler amendment to change that a little bit, but it still leaves that in place, leaves the .02 in place. It also leaves in place several of the changes that are made in the committee amendments to enhance the prosecutor's ability to introduce chemical test evidence. It leaves all those in place. It does not take those out of the committee amendments. The time constraints that are placed in the committee amendments are still maintained. Mine does not change that. There is a new penalty for second offense refusal, if you refuse to take the test there is a new penalty, that's created in the committee amendments. That would stay in place. It increases the classification of infliction of serious bodily injury while intoxicated to a Class IV felony. So the provisions, I am