

way it is in the amendment is reasonable and why we should reduce the mandatory minimum to the same as the first conviction? I think not. I think this is a progressive in both the penalty of fine as well as the prison time and we should keep it as it is in Kristensen's amendment. At the second offense mandatory minimum 30 days, and not reduce it to the same as the first offense.

SENATOR WARNER: Senator Crosby. Senator Hall, do you wish to speak again?

SENATOR HALL: Thank you, Mr. President, members, and I understand Senator Pirsch's concern but actually there is no jail time at present on the first offense. I mean, it's in...the mandatory minimum of seven is, for all practical purposes, I guess you would have to...there would have to be an extreme circumstance when that individual would be given that kind of penalty. What would happen is is that they would be placed on probation more than likely, they'd be fined, they'd be given all kinds of other little things to do and the mandatory minimum would only take effect in an extreme circumstance. So for all practical purposes there is no jail time on first offense, but yet for second offense what we would do is have an individual spend a month in the slammer and I haven't seen the fiscal note on what this is going to cost the counties to put individuals in jail for a month, but it ought to be a tremendous fiscal note in terms of these penalties that we're putting in place. It's one thing when we talk about sending a message and I agree, but you send it through education, you don't send it through these kinds of provisions, not to the tune of a 30 day jail sentence that is a mandatory minimum on second offense. It's going to have a tremendous cost. You were talking about whether or not we are able to curtail the problem that is out there isn't even an issue in terms of this provision that says we are going to put second offense drunk drivers behind bars for 30 days. Think about the fiscal impact that alone will have on a county like Douglas. It will be tremendous. You will be talking about building new facilities, buying facilities, modifying facilities, whatever it takes to store, house, incarcerate these individuals for a month. What we do here is say that for second offense, or what I do through this amendment, it's only seven days. I don't...you know I'm not crazy about a mandatory minimum at all, but a mandatory minimum of 30 days has a price tag that we haven't seen and I can guarantee all you have to do is open the paper on Sundays or on