

violating any city's or village ordinance adopted in conformance...

SENATOR ASHFORD: Oh.

SENATOR BERNARD-STEVENS: Okay, it goes on, at the convicted person's expense.

SENATOR ASHFORD: Oh, okay.

SENATOR BERNARD-STEVENS: Okay, but they also say the drug treatment program as a term of probation. That's it. So if we do probation, then we could at the judge's discretion do this, but if we don't have probation we have something else, then that's not an option according to the statute we have now. And that's on page 12...

SENATOR ASHFORD: Okay, I see it. Senator Pirsch has shown it to me, so what you're saying now is that that this assessment is done whether or not probation is ordered.

SENATOR BERNARD-STEVENS: Correct.

SENATOR ASHFORD: And that's your change.

SENATOR BERNARD-STEVENS: Correct.

SENATOR ASHFORD: Okay, thanks. I would support the amendment. With...it's not going to...at least it's second offense now, it's not going to make a whole lot of difference because we're talking about a 30 day minimum mandatory sentence which is now in the bill which is up from two days which at least is the practice in Douglas County which is a 28 day increase and even if probation is granted. Let me just ask this, Senator Bernard-Stevens, mechanically how would that work?

SENATOR BERNARD-STEVENS: We chattered with the people in probation in our area and they basically felt it would work best doing it in the following way. During the pre-sentencing evaluation they would then submit to and do an alcohol assessment during that...

SENATOR ASHFORD: Okay.

SENATOR BERNARD-STEVENS: And then at the point of sentencing