

Bernard-Stevens, would you respond to a question?

SPEAKER BAACK: Senator Bernard-Stevens, would you respond, please?

SENATOR BERNARD-STEVENS: Yes.

SENATOR HALL: David, this provision would be for someone who has been convicted at least once?

SENATOR BERNARD-STEVENS: It applies to two sources, Tim. It would say, yes, on the first DWI, but also if someone comes in on a second, third, or fourth offense and they finally come in at this point. They've done three offenses, say, up to now. This law passes and they come in for the fourth offense, if they have not ever had an alcohol assessment it would apply to them as well.

SENATOR HALL: Okay. My question is in relation to the first line of the amendment where it says after any person has been convicted, is that after the fact?

SENATOR BERNARD-STEVENS: Well, yeah, because we're doing it after they have been found guilty and we're doing the pre-sentence evaluation.

SENATOR HALL: So you have to get this done between the time you're in court and the time you are sentenced.

SENATOR BERNARD-STEVENS: Yeah, after the verdict is made, yeah, absolutely, yeah.

SENATOR HALL: Is there...I guess my question is how is it going to work administratively in terms of, does that tie the hands of the court in terms of, I mean, what would be wrong between the time, I mean, prior to going to court of having that assessment done so that an individual would walk in with that assessment in hand. I guess my question is, when we talk about after you've been convicted, does it cause a...I guess is it a step by step process that must be met that will ultimately lengthen the time needed between a...you know, a conviction and a sentencing?

SENATOR BERNARD-STEVENS: Senator Hall, the only answer I can give you is that I tried the first approach on General File and it was not, just not workable doing it before the trial would