

Kristensen, I think what Senator Bernard-Stevens is talking about is an assessment, not treatment, so I'm not sure that that argument applies. But I do want to just for the record, I think I misunderstood and voted, based on that misunderstanding the last time as to what we were talking about with the minimum mandatory sentence and Senator Hall has just explained to me that his explanation was just not accurate on that point and that would be, and I guess, Senator Kristensen, could I, just so the record is clear on this, so I understand it because it does get kind of confusing. The mandatory minimum sentence, the 30 day mandatory minimum sentence is only a mandatory minimum sentence when there is not probation. Okay. And if there...I'm sorry Senator Kristensen. Could you answer another question for me?

SENATOR KRISTENSEN: Yes.

SENATOR ASHFORD: And if it is, because I think it's an important point. I know we're getting tired, but I just want to understand this.

SENATOR KRISTENSEN: Sure.

SENATOR ASHFORD: If probation is ordered, there is no minimum or is the 48 hour still apply?

SENATOR KRISTENSEN: There are...on second offense, if you receive probation you still have a mandatory 48 hour imprisonment.

SENATOR ASHFORD: All right. So current law would be the same as it relates to probation.

SENATOR KRISTENSEN: Yes.

SENATOR ASHFORD: Okay. I appreciate that, Senator Kristensen. I think...I suppose had I known that I would have voted no before and I did misunderstand, Senator, that argument and I do it all the time. I don't know why I don't understand the sentencing procedures. I apologize to myself, but be that as it may, I just wanted to clear the record on that.

SPEAKER BAACK: Did you accept the apology? Just checking. Senator Hall, you're next.