

SENATOR HALL: Any future...

SENATOR COORDSEN: ...in future time it doesn't...it is not intended to go back nor does it go back.

SENATOR HALL: And that's what I wanted to get on the record. That's the only thing I needed to know. Thank you very much.

SENATOR COORDSEN: Thank you.

SPEAKER WITHEM: Senator Beutler.

SENATOR BEUTLER: Senator Withem, members of the Legislature, I am very happy that Senator Coordsen has spent so much time on this particular subject matter because it is one that annually comes up in my district. It seems like every year there are two or three folks that are hurting badly because this law is ignored by so many people. And, Senator, I certainly want to do all I can to help this bill to progress and to get it into shape or to...it probably is in shape, but to do what can be done to progress with the bill. There were a couple of sections, I've just begun the process of kind of looking at it, there were a couple of sections I wanted to ask you about to explore the need for them and to see if they get in the way of the bill at all. But one of those sections is on page 21, lines 25 and 26, and it's the...has to do with the Class IV misdemeanor provision. And I know you don't like these criminal provisions any better than anybody else but sometimes it's the only way to approach a bill and I understand, from our previous conversations, you've been down all of the roads on how to approach this issue and this is what we've come down to, and I understand that as a practical matter that this needs to be the approach. But it says the penalty shall be mandatory and shall not be suspended by a court. Is it necessary and/or wise not to give the courts a little more latitude on something that's kind of new and may involve some situations that we haven't anticipated, such as, for example, the one that Senator Chambers pointed out earlier? Is that...I guess I would just ask you if you're tied to that particular provision with respect to the "mandatoriness" of the penalty and the taking away of the prerogative of the court to suspend the penalty?

SENATOR COORDSEN: Senator Beutler, I am not tied to anything in this bill from the perspective that no matter how many people work on an issue the one additional person always finds a