

SENATOR PIRSCH: So you can be a habitual criminal and only do five years after you have done...been convicted of three offenses but in...what we're trying to get at or what I suppose that this is trying to get at is that person who does unusually violent, serious felony crimes.

SENATOR CHAMBERS: Well, with the amendment that you got adopted a judge could give a person a flat sentence of sixty years, and then even if they didn't change the good-time law, that would be thirty years.

SENATOR PIRSCH: Right. Yeah, I guess I have a hard time knowing that the vehicular homicide law does often...is often an accumulation, I mean, you know, you may not do a vehicular homicide the first time you go out and crash into someone but generally if the vehicular homicide of this particular severity would excuse you from...would excuse you from this more severe penalties.

SENATOR CHAMBERS: The mandatory 25, but even under the 10-year minimum it's not saying the judge can only give you that minimum. The judge can give you, under either of them, a flat 60 years if he or she chooses to do so. So let's say that motor vehicular homicide would be the basis...and if you let me say the top part of the bill, which would deal with the ten years, and let's say it's been changed to have a mandatory ten years, in that part it doesn't make any difference what the nature of the three offenses are. If the first two each carry up to a year in prison and the third one...

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: ...is a felony, it doesn't matter if all of them are check writing, that subjects you to the habitual criminal statute...

SENATOR PIRSCH: Right.

SENATOR CHAMBERS: ...but since they're not crimes of violence it would be the 10 to 60.

SENATOR PIRSCH: Right. Right. So...

SENATOR CHAMBERS: What they're talk...and...