

SENATOR PIRSCH: So those are under the ten-year which is really five years, really,...

SENATOR CHAMBERS: Right, and that could be vehicular homicide.

SENATOR PIRSCH: ...and that's the kind of habitual criminal. But these...this is a special treatment of those that are serious, ending in violence, personal violence or death of the victim.

SENATOR CHAMBERS: Yeah, well, yeah, the motor vehicular would have to end in death but the others don't.

SENATOR PIRSCH: Right. And I guess that's why I have a problem with this saying that you have to have two deaths before it really counts as...

SENATOR CHAMBERS: For the purpose of invoking the 25-year...

SENATOR PIRSCH: ...the habitual criminal for a violent criminal.

SPEAKER WITHEM: Time.

SENATOR CHAMBERS: Oh.

SENATOR PIRSCH: Thank you.

SPEAKER WITHEM: Senator Lindsay, followed by Senator Chambers.

SENATOR LINDSAY: Thank you, Mr. Speaker, members, the amendment is something that we had discussed and it simply recognizes that what we have been talking about is the repeat of...the repeat behavior on the part of those who would drive drunk and end up killing someone. This adequately addresses that. And I think Senator Beutler's question, I guess, of me was particularly instructive and that was it very clearly set forth the differing levels. And what it's saying is that...what the amendment now says, I guess, is that, with this amendment, it simply says any combination of two motor vehicle homicides while drunk would kick you up into the elevated level of mandatory minimums. The...and that's, I think, because there's some of the...some concern over someone who has a DWI as a kid, has one when they're 50, and they've done 35 years without ever doing anything wrong, and whether that's appropriate at that time, or