

would you like to close? Are you going to close?

SENATOR LINDSAY: Uh...

SENATOR CROSBY: You may close.

SENATOR LINDSAY: Yeah, I will close but I will yield the first couple minutes to Senator Chambers.

SENATOR CROSBY: Oh, all right, thank you.

SENATOR CHAMBERS: Madam President, I didn't move quickly enough to get my light on so I will...I cannot say in two minutes what it was that I feel needs to be said on this because I think it's a bad amendment. So I'm not going to give a long argument. I will just say, as Senator Matzke said when he first came up, the existing habitual criminal statute has shown itself to be effective. Now I'm departing from his remarks and using my own. This amendment is strictly political in its origin. It can have a very negative impact on the prison system though because you're going to have people serving long sentences. They cannot have the sentence changed by us and when the overcrowding occurs the federal courts are going to say let people go. I say leave the criminal sta...the habitual criminal statute where it is, let the judges have the discretion to determine how much of that 10 to 60 years a person so situated should receive. I thank Senator Lindsay and give the other time back to him.

SENATOR CROSBY: You have almost four minutes, Senator Lindsay.

SENATOR LINDSAY: Thank you, Madam President, and members, and I disagree with Senator Chambers on the impact it will have on the prison population. I don't think it's going to be as dramatic effect as Senator Chambers has suggested. I believe it certainly will have some impact upwards but the question is, is that a good policy to do that? What we're dealing with now after it has been amended is we're dealing with someone who has twice been convicted of motor vehicle homicide, of killing someone, while driving under the influence of alcohol. They've twice done that, not once, twice committed that crime, at that point they have shown, from having been on the first motor vehicle offense or homicide offense they would have gotten a penalty of I believe it's zero to five years. After having most likely done some prison time on that and that they still haven't learned the seriousness of the action of getting behind the