

rates of travel, even at the rates of speed that I have chosen to use those "dangerous two-lane highways," and the rates of travel that I will probably continue to enjoy on those "dangerous two-lane highways," no matter what we do here today. But at the risk of endangering myself, I think that I will not comment further on Senator Chambers' amendment but do believe that we are putting ourselves into a category of legislative decision-making that I'm not quite comfortable with because I'm not as sanguine as Senator Kristensen that the court would not ultimately declare that we took away all judicial discretion to set the fines and potentially overturn it. And I don't want you to be subjected to dueling opinions about that. I've not done a great deal of research, I just have a little alarm going off in the back of my mind, and I think I'll have to do some research and satisfy myself about that and maybe discuss it more with you at a later time. Thank you.

SPEAKER WITHEM: Senator Kristensen, followed by Senators Klein, Chambers, and Vrtiska.

SENATOR KRISTENSEN: Thank you, Mr. President, members of the Legislature. Senator Wickersham, that alarm going off is your conscience for speeding on those dangerous two-lane roads. (Laughter.) I want to make sure that we get the right tone set here. It is more dangerous to drive on two-lane roads, it is. And there's lots of reasons for that. But the specific amendment that we've got, and because we can get very quickly far afield here, is that Senator Chambers is attempting to change the penalty sections on the interstate system, so that's what this amendment is about. And basically, Senator Chambers feels that the committee was too harsh in upping the penalties for speeding on the interstate. The committee felt that if you were going to...we could have kept the speed limit the same, at 65, and basically had a \$5 fine for speeding and let everybody have a cushion. We didn't think that that makes particularly good policy, that if the average speed is setting there at 71, 72, that you probably should set a speed limit that was reflective of what people actually did. At the same time, if you're going to get to that speed, there should be a higher penalty to cut down the fudge factor. And the fudge factor is what concerns the committee, and I think, quite frankly, if they didn't have the...and, other committee members, if you feel differently, please chime in. But I think that the feeling was that, if you didn't have these penalties on the interstate, that