

I just want to know. On page 2 the first section I think that we're talking about ends on line 21, is that correct?

SENATOR WITEK: That is correct.

SENATOR BERNARD-STEVENS: Okay. And then I'm looking at lines 19-21 and I guess I'r going to give you some of my time to explain what your intent by this is. A person convicted of a felony for which a mandatory minimum sentence is prescribed shall not be eligible for probation. What I'm asking you to explain to me is, in my judgment I think probably the best word there would be parole, but in this case it does say probation. Why would we not want to use our probationary system as an alternative in some of these areas? Why would you not want to have anyone eligible for even probation in this particular area? That's where I'm a little confused. If you could help me along those lines.

SENATOR WITEK: As I understand it, the list on page 1 defines some of the classes of felonies. Several of them have mandatory minimums. That's why this language was necessary to define, to give definition to which felonies we were talking about when we get to the next section explaining that, except that no such reduction shall be applied to the mandatory minimum terms imposed for a Class...and then it goes on to explain which ones. So it was more of a, as I understand it, clarifying language using the page 1 language. If you'll look, they don't all have mandatory minimums, just some of them have them and that was the necessity for this language.

SENATOR BERNARD-STEVENS: Thank you, Senator Witek. Senator Chambers, if you'd yield to a question. Your concern for the word "probation" there as this particular section as it stands by itself, would you take a little bit of my time and explain why the concerns that you have with the probation part on line 21 even as it may relate to other...this section may be of Section 2 of the bill as Senator Witek was referring to, I'd be curious and kind of your point of view on this as well.

SENATOR CHAMBERS: Senator Bernard-Stevens, I'm just going to deal with each one of these things that comes before us because as I stated, I think 627 in its original form was an abomination. An attempt is being made to restore it to that status and I'm going to do everything I can to stop this bill from moving or adding amendments, or if they are added, then the