

bill is dead or the session is over. But at any rate, when you talk about anybody convicted of a felony for which a mandatory minimum sentence is prescribed, you have to do more than just look at the listing on the front page of this amendment packet. You'd have to go through the statutes and see which kinds of acts are described or defined in terms of fitting in these classifications. And Senator Witek does not know. She does not know how many more people will go into the prison system if this amendment is adopted. There is no real basis in terms of valid penological purposes for an amendment such as this. There has been no argument by anybody to show that the mere fact that an offense carries a mandatory minimum, a person convicted of such an offense should not get probation. There are some offenses that carry higher minimums but they are not mandatory. So those people apparently could get probation. It doesn't make sense and I'm not going to try to bring sense out of nonsense. You'll have to get that answer from the one who offered the amendment and who is carrying the bill.

SENATOR BERNARD-STEVENS: Thank you, Senator Chambers.

SPEAKER BAACK: One minute.

SENATOR BERNARD-STEVENS: I guess part of the dilemma that I'm in at this point, and I'll be kind of waiting for Senator Witek and others to speak at least on Section 1, is to try to, even though I understand it's difficult, Kate, to talk about one section even though when you're looking at the whole amendment, to still go ahead and try to take your, take the time that you have and explain the first section as it relates to the entire bill, entire amendment as well because that certainly will help me make up my mind on individually each part whether it's a reasonable way to...for this Legislature to go or not. Thank you.

SPEAKER BAACK: Thank you, Senator Bernard-Stevens. Senator Witek, did you wish to address this section?

SENATOR WITEK: Thank you, Mr. Speaker, members of the body, I just want to offer a point of clarification that Senator Beutler has already offered and that we're talking about persons convicted of a felony and it applies to very few people and we are talking about denying probation for those individuals. So if you don't understand this section as I'm trying very much to and I wish I could be better at explaining this. We were