

please.

SENATOR V. JOHNSON: I try to...I would like to respond but I can't pick it up fast enough because I was watching another bill to be truthful with you so probably Senator Hoagland ought to respond except he is not here. My recollection is that the sanction under current law for refusal to take the test is even greater than the sanction for one who takes the test and is found to have consumed too much alcohol. So the sanctions ought to at least be identical. That is my recollection, Senator Chizek, as best as I can come up with fairly quickly.

SENATOR CHIZEK: Mr. Speaker, I would...can we divide the amendment?

SPEAKER NICHOL: Pardon me?

SENATOR CHIZEK: Can the amendment be divided?

SPEAKER NICHOL: No, not in this situation. Senator Lamb, please.

SENATOR LAMB: Well, Mr. President and members, I only want to discuss the legal ramifications of an amendment at this point. I had an amendment this morning which the Chair ruled was not germane because this was in the...where it was in the last seven days of the legislative session. So unless this issue has been considered before, as I understand the ruling, then no amendments can be adopted which have not been before the body before this date because of a constitutional problem which is brought forth in an Attorney General's Opinion which I have here, so I would ask the Chair to rule I guess on about every amendment from now on out to see if they are eligible for consideration at this time.

SPEAKER NICHOL: Senator Hoagland, would you like to respond to that? No, you would not. I wish you would. Just a moment please. Senator Haberman, I would ask you in this instance...Senator Haberman. On your amendment as I read it, you are simply changing the penalty and the structure of the bill as it is and you are just amending a portion of the bill rather than bringing something new in, is that correct?

SENATOR HABERMAN: I am just changing what is in the bill, two sections of the bill, that is all. It is the same then...one of them is from ten years to fifteen years on the loss of a