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**327**

# Senator John B. (Jack) Coghill

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## MEMORANDUM

DATE: February 23, 1990

TO: Senator Jan Faiks  
Chairman Judiciary Committee

FROM: Senator Jack Coghill

SUBJECT: Amendment to SB 327

When the Judiciary Committee considers SB 327, we would appreciate it if they amend part of the bill to address the problem of DWI convictions. We have received a number of questions by people in the district as to why it requires a fifth conviction before it is a felony. Our amendment would make it a felony on the fourth conviction.

It seems to me that after the third conviction, it should be a felony. The penalty for the fourth DWI conviction would be a Class B Felony.

I would appreciate the committee considering my amendment when SB 327 is discussed. We have noticed that no hearings have been scheduled for this bill. Perhaps with our amendment, holding a hearing on this bill may seem more appealing.

A M E N D M E N T

OFFERED IN THE SENATE

BY SEN. COGHILL

TO: SB 327

Page 1, after line 25:

Insert a new bill section to read:

"\* Sec. 3. AS 28.35.030(b) is amended to read:

(b) Except as provided in (j) of this section, a person convicted of driving [DRIVING] while intoxicated is guilty of a class A misdemeanor."

Renumber the following bill sections accordingly.

Page 4, after line 27:

Insert a new subsection to read:

"(j) A person convicted of driving while intoxicated is guilty of a class B felony if the person has been previously convicted three or more times of driving while intoxicated under this section or another law or ordinance with substantially similar elements."