

Sec. 95 (3)

-Delete entirely.

Comment:

See our comments on section 88 (2).

Sec. 98 (1)

-Clarify the term "uses".

(1) (b) Amend the words relating to term of sentence to read "is liable to life imprisonment maximum but not less than five years upon conviction of a first offense and not less than ten years on any second or subsequent offense. Further, there shall be no provision for parole from this sentence."

Comment:

We support fully the governments intention in this section but submit they have not gone far enough.

Because of the fact that Section 102 (1) clearly spells out that there is a difference between carrying, possessing or handling a firearm and using that firearm we feel there is little chance of conviction under 98 (1) unless the term "uses" is more clearly defined.

In the instance of sentence length, we feel the experience in California proves there is a deterrent to the criminal use of firearms by the imposition of lengthy penalties. We recognize that there is a reluctance on the part of government to interfere with the freedom of the courts, and rightly so. However, the courts have an obligation to ensure the protection of society as a whole. The record