

exact methods maybe we disagree on but if Senator Chambers wants to get with me and I know Senator Beutler has some of these same concerns as to just what the standards for the evidence or the photographic things are, be happy, and I think we can put whatever things he needs in there but we do want to keep the option for photographic evidence when necessary. So relying on my good friend who has pioneered the concept of photographic evidence here in the Legislature, I hope we will keep it in the bill.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Hoagland. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, just a couple of things. We know that my identifying myself with a photograph in here is not the same as evidence in a court and it is only for the purpose of identifying me, not to establish that somebody did anything that would be a crime for which they could be punished. But if there are things like Senator DeCamp mentioned where two items are very similar and they are placed side by side and tags can be easily interchanged, those are poor business practices. Everything mentioned as an example on the floor to justify photographing the evidence and bringing it in is based on a poor business practice. You don't put two things that are disparate in value side by side and have tags that are easily interchanged. You pay the cost of your carelessness. That is in one sense the underlying basis of competition. You let the market determine the value if you have an uncontrolled market or unmanaged. Now in this particular bill Senator DeCamp had talked about the steps you would have to go through to establish certain things before this photograph could be used. You wouldn't just trot down to the court with it. Not based on the law. This law doesn't require what lawyers refer to as foundation. All you have to do is come in with a photograph and a piece of paper with certain allegations on it and drop them in and based on the law, without the requirement of foundation, that becomes acceptable as prima facie evidence of the item that was taken. Maybe I ought to stop doing these things because they will try to constitutionalize up this bill now but it was one that made me so indignant I had to speak but on some of these monsters I'm going to let them go on through. Then when they are struck down I'm going to have sent a statement in a sealed envelope to somebody and then I will cackle in the same way I did on the bank bill where nobody except a few thought that a veto had been announced.

SENATOR CLARK: Senator Nichol, closing on the committee amendments.