

SENATOR PIRSCH: Okay, thank you. I guess I'm concerned that the matter would be dismissed if we cut this off at a shorter period than the department could prepare for. And I have a lot of reservations on this amendment on such short notice.

SPEAKER BARRETT: Senator Lamb, followed by... Question has been called. Do I see five hands? I do. Shall debate now cease? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator Lindsay, to close.

SENATOR LINDSAY: Thank you, Mr. President. Members, I'm just going to again summarize what... and try to answer some of the questions that have come up. The first question has been asked a couple of times. Does the amendment leave in the ability of the officer to take the license immediately? And the answer is, on a DWI, no, on a refusal, yes. That's the intent, to force people into taking that test. And they know they immediately lose their license if they refuse to submit to the breath test. So that is what the amendment, the first part of the amendment would do, is to withdraw. And then Senator Pirsch went into it a little bit, to take out language dealing with the DWI. On a refusal they will lose a license immediately. Like I say, I don't like it, but that's what the amendment would do. It does allow, on a plea, if our intent is to prevent the continuances, to impose a sentence right away, that Senator Beyer is concerned with, the part that reinstates that compromise from '87 would take care of that. If we have a plea of guilty, there is a mandatory suspension through the courts, so this would allow that suspension to take place immediately upon the plea of guilty. There is no reason at that point to have the administrative revocation proceeding. It would allow that to continue. And that compromise would be reinstated. It takes out a part of the bill that I think, that in my question by Senator Beyer he said, I don't know that this Legislature has the authority to prevent a court from granting a stay of appeal. The bill does do that. This would take that out. I think the court would take it out, anyway. But it does take that out specifically. And then it gets down into the question that Senator Pirsch and I, I guess, were just discussing, and that is the question of the time for the petition. As the bill stands, if the petition is filed, if the petition is filed, if the