

hole where we can just back something in, it's a semi, we can just drive right through it. It's intolerable and we can't let it happen. I was going to run LB 1020 on its own, I was going to try to find this and put it under some other area. Quite frankly, after seeing...Senator Beyer has gone to a tremendous amount of work for his per se law. I think we all owe him that gratitude. His staff has worked very hard on it. But when I see all those amendments, I see all the haranguing we're going to have, and I see the urgent need for LB 1020, I've got to do something that is unusual and something that I wish I didn't have to do. But, Senator Beyer, I think at this time I've got to do this. I'd like to just be able to add it onto your LB 799 and go that way. Unfortunately I think I read the board up there, and 1020 is too important for me, at this point, that we can't, we can't allow drunk drivers to continue to drive on the roads, choose your own test and get out of it. And I think that the defense lawyers are not going to like this bill, particularly, because there is another provision that I want you to be aware of that is in there. And they may try to take it out. I would hope that they would not. It's on page 15 of LB 1020, and it talks about if you refuse to submit to a chemical test that that is well of an evidence for a trial for drunk driving. Right now, if you're arrested for drunk driving, and you refuse that test, in some courts in this state the prosecution can't even enter that into evidence that you refused. Some courts you can, there is a disagreement, depending on which jurisdiction you're in. This is something that I think as a prosecutor I always wanted to have, because it's relevant. If somebody refused to take that test, the jury ought to be able to know that when you're prosecuting them for drunk driving. And, if that becomes offensive to the defense lawyers, I'm sorry. I think this is just something we ought to do. And, with that, I would ask for Senator Beyer's indulgence. I think valor, at this point, should be put aside and we should run with this amendment and do our best to strengthen the drunk driving laws that we have at this time and salvage them, and then let's get to work on your per se law for next session. With that, I would urge the adoption of this amendment, and be happy to answer any questions.

SPEAKER BARRETT: Senator Kristensen, I believe you were asking that it be substituted. Is that....

SENATOR KRISTENSEN: No, Mr. President, my amendment is...