

increase, and a 25 percent, better than 25, 28 percent increase in the number of arrests. It's being enforced, ladies and gentlemen, it is working, I can attest to that. The whole issue of this concept of ALR is turning the justice system on its head. It's no longer an issue of innocent until proven guilty, it's guilty until proven innocent. And Senator Kristensen will argue, well we give you a sheet of paper that lets you drive for 30 days, and then you have to meet the requirements of the 10 day notice, and then you have this administrative hearing. You have an administrative hearing with the hearing officer. Who is the hearing officer? What is their background? What capabilities do they have to determine probable cause with regard to the stop? What special training have they had? Currently, to date, what do they deal with? They deal with the issue of refusal. It's pretty cut and dried in terms of did I say yes, or did I say no. Doesn't take a genius to figure that out. And this doesn't mean to impugn the administrative officers of the Department of Motor Vehicles who currently are hearing these cases. But, frankly, there is no issue there. You offer it, you make it available, but there is no reason for them. They don't function. There's no sense going to the administrative hearing. I mean no attorney is going to advise their client to go to the administrative hearing when the only issue that they deal with, in effect, is whether or not you conceded to the breath test. Did you or didn't you? It's really cut and dried. Now we're talking about going into the whole issue of probable cause for the stop, the validity of the test with regard to the breathalyzer, we're talking about putting in place a presumption of guilt, or a presumption of, I guess a presumption that the standard test that is offered is valid, no matter what the conditions may or may not be. The presumption is that, if it's given within 90 minutes of the stop, that it's good, that that's what the blood alcohol level was. It's not a presumption of innocence, it's a presumption of guilt. And that's what this whole process is about. I don't have a problem with drunk driving laws. I mean this amendment is a valid amendment, as is every one that I offer, and it deals with where the problem is, it deals with the people who are out there time and time again because, as Senator Kristensen rightly said, no matter what you do in terms of this type of legislation, you are always going to have those folks who are out there, who are going to drive cars, as I think he was quoted in the paper, some idiot is always going to get behind the wheel after they've had too much and kill somebody. And, unfortunately, that's true. There is nothing we can do in the