notice it, request for an independent blood test which usually you have to go to court and I think virtually every time it is granted, you can go and have an independent blood test done by an independent laboratory, you'll see swings in terms of blood alcohol as high as .05, one-half of the allowable limit in terms of the amount of blood alcohol. There can be that much. In many cases, in many cases it is not uncommon at all for it to be .02, .03, .04. Now that is reaching, but clearly the standards are not something that you put in statute and say that as long as it meets the time limit it's okay. This is not an issue of whether or not the blood has that amount of alcohol, whether the test was invalid, this is an issue of just meet the time requirement. As long as you file the darn things, as long as you take that test within 90 minutes you are covered. You don't have to worry about it, it is presumed to be accurate, we'll go about our merry way, no problem, now try and rebut that. You put this standard in the books and say that as long as it is done within 90 minutes then that's clearly got to be the amount of blood alcohol that was in that individual's level, or in their body at the time that they were operating that vehicle. That's nonsense, that's nonsense. Again, I mean, you know, why...and I apologize because, Senator Crosby, I'm taking your advice, I am getting emotional about this, I really am because it is a miscarriage of justice at best in this one area of the law where we go about dealing with...

SENATOR WARNER: One minute.

SENATOR HALL: ...these individuals in this case in a manner that we would not consider in any other type of criminal law, let alone civil proceeding, but in this one area because of the support groups that have grown up around this issue and again, I can't tell you how right they are in terms of wanting to deal with the problem but this doesn't deal with the problem. These kinds of bills do not deal with the problem. They are measuring sticks by which they raise funds for their cause but it clearly does not deal with the problem. What this amendment does is strip the 90 minute presumption test out of the bill. I would urge the adoption of the amendment.

SENATOR WARNER: Thank you. Before we go to the next speaker, Senator Schimek, the Legislature has guests this morning all of whom are seated under the north balcony, Helen Arps and her grandson, Christopher, guests of Senator Schimek. They are from Schuyler together with guests of Senator Hefner, Leroy and Betty