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attacking the problem and I believe that we should be attacking the DWI problem but we're not doing it. If we look at what we're trying to accomplish and look and see if this bill is getting us to that point, I suggest it's not. The people...there's a study...I haven't been able to go through it yet because I just got it this morning, but from what I understand a study about the hard-core drinking driver that the Transportation Committee got some time back, indicates that the people that we ought to be trying to get rid of are second offense, high BAC people, high blood alcohol content people. That's not what we're getting here, we're getting the first offense driver, .101 and this bill will presume that that test was accurate. I urge that the amendment, the Hall amendment be adopted to the committee amendments and I'd suggest we take a real hard look at the committee amendments before we adopt it. If there is any time left I'd give it to Senator Chambers.

SPEAKER BAACK: Senator Chambers, you have one minute.

SENATOR CHAMBERS: Thank you, Mr. Speaker, and thank you, Senator Lindsay, and you stated what I was working my way to with my questioning of Senator Kristensen and since we're near the noon hour I'm going to just make a couple of comments too. Senator Lindsay, I believe is absolutely correct and the point I was trying to get to is that we should not be shifting the burden of proving innocence to a person accused when under the principles of law in this country the presumption of innocence requires the state to prove guilt. Senator Kristensen and those who support his proposition want that guilt to be presumed by giving weight to evidence which it is not entitled to. The state does not have to buttress this evidence or uphold it and once you get it in, the presumption of guilt is going to attach because there is no way to attack it. His proposition, if it were in the law, is what would confuse a jury because how are lay people going to understand that this person accused...

SPEAKER BAACK: Time.

SENATOR CHAMBERS: ...can still be innocent when the law says that you presume that the test is correct, the test says he is guilty and that's the end of it. Mr. Chairman, Mr. Speaker, I'm sorry I went over those few seconds.

SPEAKER BAACK: That's okay. Mr. Clerk, items for the record.