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one of those pieces that occurred at every hearing that we had, was a piece that was uniformly believed to benefit the system. And, yes, it is harsh, but, no, it is not unfair. Thank you.

SPEAKER BAACK: Thank you, Senator Kristensen. Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, I would like to ask Senator Kristensen a couple of questions like I was doing the other day.

SPEAKER BAACK: Senator Kristensen, would you respond, please?

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: Senator Kristensen, we had gotten to the place where this test has been offered in evidence and it has been received. Now there is the presumption attached to it that it was accurate at the time...it accurately reflects what happened at the time it was taken or whatever.

SENATOR KRISTENSEN: Right, at the time of operation.

SENATOR CHAMBERS: Right. Senator Kristensen, that presumption of accuracy gives, and I think you agreed to this, additional weight to that evidence which it would not have had without the presumption, isn't that true?

SENATOR KRISTENSEN: Yes, it gives what you and I might call a prima facie evidence to that occurrence.

SENATOR CHAMBERS: Now...thank you, that is all I need at this point. Members of the Legislature, let us change the testifier from a machine to a human being. It is bad to use machine evidence anyway because you can't cross-examine it. But let's make it the testimony of a police officer. Are we going to say that since the officer is allowed to testify and certain of what he says is allowed in by the judge, there now attaches the presumption that he told the truth? That doesn't happen with any evidence. The evidence is to be weighed. The judge observes the demeanor of the person testifying, has the opportunity to determine whether or not it is credible testimony. Here Senator Kristensen wants to elevate the evidence from a machine above the testimony given by a person who can be cross-examined, and I think that is totally