

you're next.

SENATOR KRISTENSEN: Thank you, Mr. Speaker, members of the body. Senator Hall, could I ask you some questions, please?

SPEAKER BAACK: Senator Hall, would you respond, please.

SENATOR HALL: Yes.

SENATOR KRISTENSEN: You stated, and if I'm wrong, please correct me, but your characterization of this amendment is that the presumption says the test is presumed accurate. Is that right?

SENATOR HALL: It's my understanding, Senator Kristensen, that the way the amendment, the bill is drafted that as long as the test is taken within 90 minutes, that that test is presumed accurate.

SENATOR KRISTENSEN: Okay, and when you say it is presumed accurate what do you mean? Do you mean that the procedure used was accurate?

SENATOR HALL: That's correct.

SENATOR KRISTENSEN: Okay, thank you. I want to go to that point because that's not true. That is not the way that this is. I guess what Senator Hall is trying to tell you is that as long as the test got taken within 90 minutes, no matter how the test was taken, that it is okay and it is presumed accurate. Wrong, wrong, wrong. That's not true. The test must be admitted into evidence and to be admitted into evidence it's got to have been taken correctly according to every rule, regulation of the Department of Health. You've got to have the waiting periods of time, you have to be properly arrested, you have to be properly advised that that is not true. This presumption does not go to how the test was taken, it goes to when the test was given and does it relate back to the time. This is a relation back. And the other question that I want to pose that I believed I heard was, alcohol gets absorbed through the system and that these police officers may want to wait three hours.

SENATOR HALL: No.

SENATOR KRISTENSEN: Well, okay, explain to me what the comments