

about the police officers wanting to wait three hours would be.

SENATOR HALL: Senator Kristensen, my only comments were that you had stated yesterday that there were those that requested a three-hour time limit for this provision of presumption.

SENATOR KRISTENSEN: Yes.

SENATOR HALL: Okay, that's all I said.

SENATOR KRISTENSEN: Okay, thank you. There are several states, and I want to go through with you, that have this presumption. For example, Alaska has a four-hour presumption, not 90 minutes, but four hours. California has three. Delaware has four hours. Georgia, Hawaii have three hours. Iowa, Kansas, they each have two hours, longer than what we're proposing. Kentucky and Maryland just say, whenever you take the test it is presumed to be the time. Let's see, other two hours, Maine, North Dakota, Ohio, Oklahoma, Utah, West Virginia, all have two hours of presumption. You know, this is isn't something new that just flew out of the air. These are reasonable presumptions that are used all the time. We've never chosen to put the presumption in. The policy choice here is, there are occasions when that presumption would help eliminate the confusion at the time of trial. This doesn't automatically just admit a test in. This has nothing to do with making a machine more truthful than a police officer because the police officer, obviously, can testify to what he saw at the time of the operation of the vehicle. The machine only tests what it tests at the time the test is given to it. This just relates it back and says that it is going to be presumed to be the test at the time. It has nothing to do with the accuracy of the machine at all. With that, I would continue to oppose this amendment. Thank you.

SPEAKER BAACK: Thank you, Senator Kristensen. Senator Wehrbein, you're next.

SENATOR WEHRBEIN: Question.

SPEAKER BAACK: The question has been called. Do I see five hands? Okay, Senator Hall.

SENATOR HALL: Two people discussed the issue.

SPEAKER BAACK: Okay, Senator Hall, your light is next.