

village, post office address to match the registration records. So that is the presumption that people are telling me refers to the county clerk or election commissioner. Then we move onto the next sentence that you're talking about and then the next sentence talks about the presumptions which must be talking about both of the prior sentences may be rebutted by credible evidence. So that's the interpretation that I'm being given, but I'm not 100 percent sure you're wrong either.

SENATOR KRISTENSEN: Well, I guess that's what makes me a little nervous. I mean, I have a fundamental problem with the Attorney General's Opinion, but then that I think goes without saying because I started to read that Morris v. Marsh case and the Attorney General starts pulling out sentences and really takes them out of context. I think there's other parts of this thing that are kind of silly, but the one that he relies on is, he takes it from an old Oklahoma case,...

SENATOR LINDSAY: One minute.

SENATOR KRISTENSEN: ...the presumptions, that one sentence, and then the other sentence he takes from talks about the criminal statutes and there is, I mean, if you have a criminal statutes, you do have to have those presumptions worded in the affirmative because that deals with the burden of proving somebody innocent or guilty in criminal actions and, of course, those have to be done in the other manner and not the way of invalidity because then you run afoul of that presumed innocent until proven guilty requirement. So I guess I have some hesitation, Senator Bromm. I'm not exactly sure. I guess I'm not going to support this until I'm sure that your amendment doesn't place that presumption in the wrong place. I don't have a problem, I guess, giving the Secretary of State substantial compliance. That becomes a fact determination. That's what courts and issues are all about. If he or she is wrong then that gets litigated, but for the ordinary county clerk I think you need some presumption...

SENATOR LINDSAY: Time.

SENATOR KRISTENSEN: ...that they're either in or they're out.

SENATOR LINDSAY: Senator Chambers.

SENATOR CHAMBERS: Mr. President and members of the Legislature,