

evaluation of what it is that we're doing. In the first instance you have a presumption stated in the affirmative. If certain things are found to exist then the presumption arises. It is unnecessary, once you state what those conditions are, before the presumption can arise, to declare in the negative what will be the case if those factors are not there. In other words if you say in order for the presumption to arise you must have elements one, two and three present, it is unnecessary to say in a following sentence, however if elements one, two and three are not present, the presumption does not arise. Included or implied in the statement about what it takes to raise the presumption is the idea that if those factors are not present the presumption does not arise. So in a sense the language that is being stricken by the Bromm-Schimek amendment could be viewed either as being redundant or as trying to emphasize and underline what is stated with reference to raising the presumption. There are other matters in this language which will remain that I would like to discuss, and I have an amendment that I'm going to offer. But this that is being given to us at this time, I think, would help facilitate our discussion, it will help give clarity to the language that will be left in the statute, and I don't think it takes anything away from what we're trying to do. So I'm going to support this amendment.

PRESIDENT ROBAK: Thank you, Senator Chambers. Senator Elmer would like to announce that there are 30 juniors and seniors here from Cambridge High School in Cambridge, Nebraska with their teacher. They are in the north balcony. Will you all stand and be recognized, please. Welcome to the Legislature. Senator Elmer has also passed out to you doughnuts this morning in celebration of a brand new granddaughter, born yesterday, noon. This is his eighth grandchild and it is the daughter of his daughter. Congratulations on your new granddaughter, Senator Elmer. Is there any discussion on the Bromm-Schimek amendment? Seeing none, Senator Bromm, do you wish to close?

SENATOR BROMM: Thank you, Madam President, very briefly. I appreciate at least the brief discussion we did have. I think we need more discussion on some of the other words in this particular section. We'll have that on Senator Chambers' amendment or another amendment to follow. So I'd just urge the body to make this change. I think it cleans up the wording, makes it a little bit clearer and a little less suspect, so thank you.