

more complex it sounds. But if you would, think of the presumption as a box, the presumption is the box. The only way this box can be obtained and used is if you have all of the items contained in that box. But if you don't have those items, if you have some of them, or if you have others in those, the box is no good. So it's saying when we talk about this presumption, whatever ultimately we say it shall consist of, it will come into being only if those items that we list are found to be present. It is not really changing anything, it is making it very precise, very specific, very definite, and removing any possibility of wiggle room. A presumption is not the same...if a presumption is rebuttable, it's not the same as a conclusive presumption. If a presumption is deemed to be conclusive it means that once you establish elements one, two, three, if those are the ones the presumption consists of, then the fact that you're trying to establish has been established and you cannot do away with that fact by way of argument. If a presumption is rebuttable it means that if elements one, two and three are present then unless you come forth with something to overturn one or more of those elements, then whatever the presumption states is going to be found to be the case. Now that might be confusing, but if you read in the record what I've said I think it will be clear. What we're talking about in this instance is a rebuttable presumption. A decision is going to have to be taken by a county commiss...by an election commissioner or a county clerk. There might be questions surrounding the issue relative to this decision that must be taken. So what the statute is saying is that in order...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...for the...I've been up here nine minutes already?

PRESIDENT ROBAK: I'm sorry, Senator.

SENATOR CHAMBERS: Okay.

PRESIDENT ROBAK: You have six minutes left.

SENATOR CHAMBERS: Okay. And I may not need it all, but I want to try to make it as clear as I can, although like I say the more you explain something like this maybe the more confusing it sounds. But in order for the decision to be reached the election commissioner, or county clerk has got to find these