

SENATOR HOHENSTEIN: That's fine, Mr. Speaker.

SPEAKER BAACK: We will now take up the second section of the Hohenstein amendment. Senator Beutler, did you wish to address that? Senator Hall, did you wish...

SENATOR HALL: Mr. President and members, I support this portion of the Hohenstein amendment. I had notice that the amendment was filed, and had I thought about it would have offered it as an amendment to the committee amendments. The issue just I think does nothing more than clarify the fact that it shall first be made outside the presence of any jury for purposes of then being allowed if the court determines that it is appropriate to bring it in, then be allowed to go before the jury. There is no intent through the amendment that, this amendment, that it automatically come to the jury, only that it first go to the court, and then if the court determined that it is appropriate for purposes of being something that the jury review, then it come in. There was no intention on my part in drafting the bill to eliminate it ever from coming before the jury, and I think this portion of the Hohenstein amendment clarifies that and I'd urge the body to adopt it.

SPEAKER BAACK: Thank you, Senator Hall. Senator Lindsay, is he here? Did you wish to...okay. Senator Bromm, did you wish to address this portion of the amendment? Okay. Senator Hohenstein, would you like to close on this portion of the amendment?

SENATOR HOHENSTEIN: Mr. Speaker, Senator Hall has so accurately described that amendment I wished it were his and I waive closing.

SPEAKER BAACK: Thank you, Senator Hohenstein. We will now vote on the second section of the Hohenstein amendment. All those in favor vote aye, opposed vote no. Record, Mr. Clerk.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of the first portion of the Hohenstein amendment.

SPEAKER BAACK: The second section of the Hohenstein amendment is adopted. Before we proceed to discussion on the first section, I would like to introduce some guests of Senator Kristensen. We have Doug and Liza Holtmeier from Kearney,