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question.

**SPEAKER WITHEM:** Senator Monen, would you respond?

**SENATOR MONEN:** Yes, I'll respond.

**SENATOR PEDERSEN:** Senator Monen, I know you worked in the Workmen's Comp Court, but if you were hearing a case like this and you were on the other bench, on the civil side, and you had a client and you had to make a decision or defendant in front of you and you had to make a decision about whether or not they should get damages from this person and they'd already been found guilty of an infraction, wouldn't that help that decision, or wouldn't that encourage that there was something wrong before, too? I don't know what I'm trying to say here, but I think the infraction itself is still going to leave some kind of impression on either the judge or the juries that are making these decisions, wouldn't you think so?

**SENATOR MONEN:** Well, I don't think legally a...say they were convicted of the infraction, is...would that...

**SENATOR PEDERSEN:** Yes.

**SENATOR MONEN:** No, I don't think that...the judge then would make an independent decision on whether or not the party that made the malicious statement should respond in damages, unless the person who was accused of making the malicious statement came in and had pleaded guilty. The plea of guilty to an offense could be used as an admission in a civil court, but not otherwise. But what I...if I may, it seems strange to me that we hear from people who, in most instances, tell us that they're sick of government, they want to get government off our backs, and government intrudes too much into our lives are now invoking the state to come into our lives and make illegal a criminal act or an infraction speech which at most is disagreeable, or rude, or even mischievous and malicious. Just seems to me that we're creating another layer of bureaucracy and government and bureaucratic nuisance. Thank you.

**SENATOR PEDERSEN:** Thank you, Senator Monen, thank you.

**SPEAKER WITHEM:** Thank you, Senator Pedersen. Senator Wehrbein.

**SENATOR WEHRBEIN:** Yes, Mr. President, members, I tried to be