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other than intentional actions.

SENATOR HIGGINS: By the same token, your reckless actions shouldn't punish me by maybe the rest of my life I stay in a wheelchair while you go out and drive your car again and knock somebody else down. I am being punished for the rest of my life by perhaps someone's reckless driving or reckless actions....

SENATOR CHAMBERS: Senator Higgins....

SENATOR HIGGINS:but they are not being punished.

SENATOR CHAMBERS:understand, I am not disagreeing with any of the things you are saying, I am simply saying that the criminal law is not the means to address that because you still would face the same problems anyway. But we would have created additional burdens on the criminal justice system that don't solve the problem that you are concerned about.

SENATOR HIGGINS: Well, I would just guess we won't agree on that, Senator Chambers, because as far as I am concerned the criminal justice system right now doesn't address itself to a lot of the problems in society and this is what I keep hearing from my constituents. Thank you, Senator Chambers.

PRESIDENT: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Chairman and members of the Legislature, Senator Chambers, going back to this change that would be made as I understand by your amendment, would you agree that the word "reckless" is of less severity than the word "maliciously"?

SENATOR CHAMBERS: I think "reckless" is less serious than... yes, it is less.

SENATOR NICHOL: Yes. Well, as I under....now this came from the County Attorneys Association, as I understand, and would it be true also that they could get more conviction if we changed this to "reckless" than if we left the wording "maliciously" in the statute?

SENATOR CHAMBERS: Yes, that is true because a lot of times a reckless action is one where you are not even conscious of what you are doing in terms of its damaging somebody else but malice requires you to know what you are doing and it has the element of intent also.