

at length was whether or not the county attorney should be subject to recall and there was sentiment in the committee that the county attorney maybe should be one office that is not subject to recall just because of their position because they are allowed...because they have to prosecute or not prosecute cases and these kind of decisions that they make, make them susceptible to recall. But the committee decided rather than doing that we would simply put in there that we...in the bill itself we have a statement of reasons for recall. And now for the county attorney, we state that one of the reasons for recall cannot be a decision of a county attorney to prosecute or not prosecute in a specific case. That cannot be a stated reason for recall. They are still subject to recall, but they cannot state the reason as being whether or not they prosecuted a case. The third thing that we do is that there will be on each petition paper, there will be a warning to petition signers and this warning will contain all of the rules and regulations that deal with the recall petitions. It will also indicate what penalties are there for violations of the provisions for recall. The fourth thing is that it specifically prohibits people who are not registered voters from circulating recall petitions. The way the law is right now you do not even have to be a registered voter to circulate a recall petition. We're going to make it so that it is in line with the other initiative and referendum petition laws, you have to be a registered voter to circulate those. The last thing that the committee amendments do is they...in the bill itself we created a scheme of multiple elections in case that more than a majority of some board or council or something was subject to recall and more than a majority were being recalled, and then we set up a scheme of multiple elections at the hearing. It came out that this would be an awfully costly kind of procedure for a local district, so instead we substituted and went back to the procedure that is used now where the Secretary of State will, as expeditiously as possible, call for a special election in the case that a majority of a council or a board is recalled.

PRESIDENT: Senator Baack, may I interrupt you a moment?

SENATOR BAACK: Sure.

PRESIDENT: (Gavel.) Could we please have the level of noise down. It's getting awfully difficult to hear. Thank you, Senator.