

the law is no good, is that correct?

SENATOR CONWAY: I think that's true with first degree murder, if the county attorney chooses not to file, there is no filing. But a county attorney is certainly the person that would have to initiate the prosecution.

SENATOR HABERMAN: Well, let's get back to my original question. In your amendment, or in 424 is there a penalty clause?

SENATOR CONWAY: Under...in 424, I believe, and I'd have to go back because I believe it directs any penalty to an infraction relative to the entire petition area, and I think there is a whole schedule of what those penalties are. Primarily, I believe now they are misdemeanors instead of felonies, like they used to be, for violation of any....

SENATOR HABERMAN: The answer is yes then.

SENATOR CONWAY: Yes.

SENATOR HABERMAN: Thank you, Senator Conway. Thank you, Madam President...or, yeah, Madam President.

PRESIDENT MOUL: Thank you, Senator Haberman. Senator Withem, followed by Senator Bernard-Stevens.

SENATOR WITHEM: Yes, Madam President, members of the body, while Senator Conway was on the mike, I was able to thumb through the bill here a little bit. There are references to penalty, they aren't necessarily new standards, they are provisions of existing law, and they are contained within the provision. There is reference to a Class IV felony, actually the bill does change that from just saying felony, in general, to saying a Class IV felony for, it appears to be, willingly and knowingly circulating petitions when a person does not meet the qualifications for being a circulator. And Class I misdemeanor for any person signing any name other than his or her own, and any person signing this petition knowing that he or she is not a registered voter shall be guilty of a Class IV misdemeanor. It's contained within the statute. And I would agree with Senator Conway that it's a matter for local law enforcement. If anybody knows of a...if anybody knows of a violation they report it to the county attorney, or local law enforcement officials, county attorney files charges. We have probably the same