

compliance. Looking at, you know, the family operation and who is in...actually in operation of the farm, looking at the greater investment, looking at the kindred, looking at the type of farming operation that you are involved in, those are specifically laid out in the constitution also that say then that you are in compliance if you are doing these things. Or, if you are not doing one of those main four, then I would assume then you are out of compliance.

SENATOR CHAMBERS: Okay, I wish...thank you, Senator Hillman. I wish Senator Matzke were here, and if he is within the sound of my voice, I want him to know that I'd like a comment from him on this bill, because we are talking about the assessment of a civil penalty and he had stated how strongly, in principle, he is opposed to the assessment of civil penalties. So, Senator Matzke, if you are within the sound of my voice, I would like you to, at some point, answer me why, if you are not opposed to the civil penalty being assessed in this bill, you are not opposed, even though having said that you are opposed to them otherwise. But, that is one of the areas that I would like to discuss with Senator Dierks. Senator Dierks,...

SENATOR DIERKS: Yes.

SENATOR CHAMBERS: ...and it kind of touches into what Senator Hillman is talking about, because, depending upon what is reported, a person can be assessed this civil penalty. Now, there is no guideline in here to lay out how serious a violation would be. So, in order that I can understand how this works, the civil penalty is assessed only if the required report is not filed within 30 days, it is not based on what is in the report, is that correct?

SENATOR DIERKS: I think that is right.

SENATOR CHAMBERS: So, then why can it go up to \$5,000 or be as low as \$1, or be no penalty at all when it goes to court?

SENATOR DIERKS: I assume that is up to the court to make that decision.

SENATOR CHAMBERS: What would be the damage to result if a person does not file the report? What harm would be done?