

SENATOR DIERKS: I'm not sure about the certified mail thing, but he will have these things in his file when they return them.

SENATOR CHAMBERS: But, if the Secretary of State does not...if I say I didn't get such a form from the Secretary of State, how can I be held accountable for not filling it out, if it is the Secretary's responsibility to send it to me, and he can't establish that I ever got it?

SENATOR DIERKS: I suppose you do it the way he does these other corporate reporting forms, Senator Chambers. If that is by certified mail, then that's the way it is, I don't know.

SENATOR CHAMBERS: But see, is there a punishment, is there a civil penalty up to a \$5,000 imposed as a result of the Attorney General taking one of these corporations to court for not having filed one of these other kind of papers?

SENATOR DIERKS: I didn't get your question, I'm sorry.

SENATOR CHAMBERS: You said, you presumed that he would mail these out the same way he would other types of forms...or...let me go beyond that question and ask another one. If I'm going to be held accountable for filing a document within 30 days, am I to file it within 30 days of having received it from the Secretary of State, or within 30 days of what event?

SENATOR DIERKS: I suppose that what will happen, the way the form will be printed it will tell you when you have to have the form back to the Secretary of State, whether that would be 30 days from when he shipped it or sent it to you, I imagine, I don't know.

SENATOR CHAMBERS: Now if I can be subjected to a \$5,000 civil penalty simply for not having filed this piece of paper, or however many pieces would be involved, who is going to have to prove that the document was actually sent by the Secretary of State and received by me? Am I going to have to prove that I didn't get it? I can't prove a negative, or is the Secretary of State going to have to prove that he sent it?

SENATOR DIERKS: I think he would have to prove that he sent it.

SENATOR CHAMBERS: And, if he didn't send it then I am not