

SENATOR DIERKS: I don't know they do that, but I'm sure they have a method because they do this on every other corporation.

SENATOR CHAMBERS: So you mean it's like the young soldier in the Civil War who said, I don't know what I'm fighting for, but, by God, there be them in higher places and they know.

SENATOR DIERKS: That's probably right.

SENATOR CHAMBERS: Do you think that's a good way to leave this bill, since somebody can be subject to a \$5,000 penalty?

SENATOR DIERKS: I'm satisfied with it, Ernie.

SPEAKER WITHEM: Time. Senator Beutler.

SENATOR BEUTLER: Senator Dierks, again, exploring this for the dimensions of the bill and how it would work. The companies, the entities that are required to file the report are those who are defined in Section 1 as being companies in certain types of activities. And then you come down to the place where the Secretary of State is to make a...is to make a decision about who should have filed the report and therein is the mountain I'm not able to get over. How is the Secretary of State going to know who should have filed the report?

SENATOR DIERKS: Well, we think that most of that will be based on complaints.

SENATOR BEUTLER: Okay. Somebody complains that company X should have filed the report. Let's say that that happens and the Secretary of State listens to this and he says, well, here's their articles of incorporation. It says they're authorized to do business for any legal purpose. And then he says, how can I turn a complaint over to the Attorney General who is then forced to prosecute, how can I turn a complaint over to the Attorney General based on somebody's accusation that they're violating the constitution and I'm not even a lawyer. I'm not even qualified to make that decision. How can I determine that this entity should have filed the report?

SENATOR DIERKS: I think that what happens is the Secretary of State asks the Attorney General to investigate a violation before he files an action on it.