

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, if you look closely at the amendments that have been proposed to you, you will see that the proponents of the bill are in utter and total retreat. They have changed every provision in the bill almost and tried to tell us that now these things which are duplicative and confusing are going to be infractions. It is like the army is in full retreat and they are putting a little company there to hold off the enemy and saying, this is still good, we are still going to win. But all this is is a face-saving amendment instead of having to admit that this is a totally bad bill. Now what the bill, generally speaking, is doing now is changing all these different things to what we call infractions. And what are infractions? Infractions are a little category of crime that we created a couple years ago to deal with possession of small amounts of marijuana and says that anything that is not a misdemeanor and is not a felony is an infraction. An infraction, you can't send anybody to jail, the penalty is \$100 fine for a first violation, a \$1 to \$300 fine for the second violation and a \$500 fine for the third violation. That is what these infractions are. When the criminal code was revised a few years ago we tried to get rid of all these different types of categories of crimes and put things in a logical kind of order, but now six or seven new infractions are being invented and thrust into this category of infraction and causing, I suggest to you, great confusion. But the main point that I want to make with regard to these infractions is it is going to have, in my opinion, in this particular situation an effect that is directly contrary to what the proponents of the bill intend. And I go back and ask you to remember again that the major problem in this area, in my opinion, at least, is that the county attorneys and the city prosecutors are reluctant to prosecute on small deals. That is the problem. Now if you change these things from misdemeanors which are more serious offenses to infractions, I ask you, how are you going to get a county attorney or a city prosecutor to chase an infraction? You are going to have completely the opposite effect. You are going to exacerbate the problem of getting prosecution. Just to give you an example, and this is where my amendment...but this is what my amendment actually does. In the committee amendments it says that this thing that they had originally classified as criminal impersonation is going to become an infraction. Criminal impersonation is a Class 2 misdemeanor