

which means that it is punishable by jail time up to six months and a \$1,000 fine. Now it is going to be changed to an infraction and not only is it going to be changed to an infraction but for the first time, for the first time in our legal system we are going to depart from the regular schedule of penalties for infractions and include a new infraction penalty of \$500 for the first offense. So not only is it bulging out this category of infractions but in addition to that we are starting to change the schedule of infractions without looking to see which infraction is more important than another. So my amendment basically strikes the provision that changes the category or the schedule of infraction penalties. So, in other words, it would just be an ordinary infraction. The first offense would be punishable by a \$100 fine instead of a \$500 fine. But mainly I was interested in this particular amendment to illustrate to you or to attempt to illustrate to you what is happening with this particular amendment and how it faces in to our existing law or rather does not face into our existing law. But all six or seven of the infractions that they have put in there now are going to have the same kind of effect, that is instead of the city prosecutor going to the theft statute or instead of him going to the criminal mischief statute and that is for the destruction of property or instead of going to the criminal impersonation statute and using effectively the statutes that we have there, they are going to use descriptions that are basically the same and covered under the existing law but now set out and called infractions. But the problem is as I hopefully explained to you is that they are not going to use those at all. They are not going to use them at all. So that is the purpose and intent of the amendment, Mr. Speaker, and I would ask for its adoption.

SPEAKER NICHOL PRESIDING

SPEAKER NICHOL: I have several lights on but I don't know which ones of you wish to speak to the Beutler amendment. Senator Hefner, did you wish to speak to the Beutler amendment?

SENATOR HEFNER: Mr. President and members of the body, I am a little confused with Senator Beutler's amendment. He mentioned that in the first offense we have a \$500 penalty. Well, in Section 29-436 on an infraction the first offense is a fine up to \$100. A second offense is within two years