

Baack, with the addition of the words "any knowing and willful violation", does this make it more difficult to try these people or does it make it easier?

SPEAKER BAACK: Well, I don't know that it makes it more difficult but I think it puts into place the more common standard that we use for violations of this kind, you know, and rather than strict criminal liability, it says it has to be willful and knowing violation of it because it does...it does change it a little bit.

SENATOR DIERKS: I just wonder how difficult it is to prove willful and knowing. Is it any more difficult to do that than to prove any violation, period, any unqualified violation?

SPEAKER BAACK: You might want to ask that of an attorney, such as Senator Kristensen. It looks like he's got an answer on mind, because I...because I don't know. You know, not having been involved in court cases, I don't know if it's more difficult or not.

SENATOR DIERKS: Okay, I would ask Senator Kristensen that.

SENATOR KRISTENSEN: Could you just repeat it for me real quickly and I'll...

SENATOR DIERKS: Well...

SENATOR KRISTENSEN: I just walked in so I will...

SENATOR DIERKS: The language in the bill, on page 5, I believe, is the first place it appears, at the top of the page, it says, for "any knowing and willful violation", and any knowing and willful is new language in the bill.

SENATOR KRISTENSEN: Right.

SENATOR DIERKS: It substitutes what was originally just for violation of any air pollution control law. And now it says any knowing and willful violation. I wondered how much more difficult that would make...

SENATOR KRISTENSEN: Okay, I think I can respond to that. Now that's a criminal violation, right. It's always been a criminal violation and it's still a criminal violation. And within any