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(Start Belt #23)

this does say that there would be a judgement on a restitution. This means that the individual who has stolen or in any way has fraudulently taken peoples money, that he would have to make restitution. He would have to pay back and make good. That's to make good that amount of money, and there would be a judgment just like there is if you're sued and there's a judgement taken against you that a..that the sheriff can come and levy on. Can take the property you've got to pay for it. He;s going to have to pay back. Make good that which he has taken. Now this is part of the provision that judgement be entered. Now this is may. Understand this is permissive. This is a tool of the court. In making him if he's found guilty. It's only if he's found guilty. So you could say it's part of the punishment. Under the criminal proceeding that this be done. This is not uncommon to this type of legislation. However, this particular bill does make it very clear, that under these circumstances you see, not only will the individual have to make it good, but if he doesn't they can go after the property, they can put a garnishment on his check, that sort of thing.

PRESIDENT: The chair recognizes Senator Kremer, and then Senator Barnett.

SENATOR KREMER: I'd like to ask Senator Luedtke a question, please.

SENATOR LUEDTKE: I'll yield.

SENATOR KREMER: Senator Luedtke, does this apply to outstate operation to a person without the state that commits a fraudulent act. Do you have the long arm of the law that applys there.

SENATOR LUEDTKE: If you can get jurisdiction over them. It's a jurisdictional matter. It would apply to anybody that you can get. You have to arrest them because this would be a matter of arrest.

SENATOR KREMER: Does this come under the long arm of the law..

SENATOR LUEDTKE: Well, I suppose you..if you could chase him into another state.

SENATOR KREMER: Well the reason I asked a lot of these operations that carries on by people with outside of the state. They come in to the state.

SENATOR LUEDTKE: Without checking, I wouldn't want to give you a direct answer. Yes is my. I feel we probably could.

SENATOR KREMER: I think it should. I think it should. Maybe we could do nothing in this particular act to accomplish this.

SENATOR LUEDTKE: Yes, I have a feeling that you could. And also if you could. Of course you can't extradite unless the individual is. Unless there is a felony involved, you understand.

PRESIDENT: The chair recognizes Senator Barnett.

SENATOR BARNETT: Mr. President I wonder if Senator Luedtke would yield to a question. I heard the bill, so please don't repeat that to me, because I don't remember exactly every thing about this. There's one point in this that I think should..might need a little clarification. When you ask in here that the restitution shall be made. You will also notice in there that there is a minimum penalty