

for violating the rules of his or her own societal responsibility, but also must be called to restore his victim's potential functional responsibility and this was decided by the court at the time of sentencing. As beneficial as restitution is to the offender, the benefits to the victim are obvious. Nebraska's Victim's Compensation Fund is currently unfunded. You voted to cut those funds. So victims continue to suffer in Nebraska. Criminal restitution in focusing on both the needs of the criminal and the victim would go a long way toward balancing the scales of justice. Restitution would also mean that taxpayers would shoulder a lesser financial burden. The burden would be placed where the courts have...

SENATOR SCOFIELD: Time.

SENATOR PIRSCH: ...determined it should be, on the criminal. Please vote to amend the committee amendments.

SENATOR SCOFIELD: We're ready to vote on the Pirsch amendment to the committee amendments. It takes a simple majority. Record, Mr. Clerk. Senator Pirsch, for what reason do you rise? We're back...

CLERK: 20 ayes, 2 nays on adoption of the amendment to the committee amendments, Madam President.

SENATOR SCOFIELD: We're back to the committee amendments, Mr. Clerk.

CLERK: Madam President, Senator Chambers would move to amend the committee amendments. (Read Chambers amendment as found on page 1479 of the Legislative Journal.)

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this is just. Now, what Senator Pirsch has done is converted the criminal law into a means by which to obtain, in effect, a civil judgment without the benefit of a jury. These provisions found in the committee amendment that Senator Hoagland said were based on Bar Association model legislation dealt with probation. Now, if you are going to allow a double recovery, that is contrary to everything in the law in the jurisprudence of this country, but it's not contrary to the attitude of some of the people of this body. When you deal with the criminal law changes should not be based on whim or the hysteria or the fad of