

SENATOR HOAGLAND: Let me...is that printed in the Journal?

CLERK: No, sir, it is not.

SENATOR HOAGLAND: Let's pass over that, Mr. Clerk.

PRESIDENT: The amendment is passed over.

CLERK: Senator, I had a second one that did that too. Do you want to...?

SENATOR HOAGLAND: Yes, let's pass over that one also.

CLERK: Pass it over. Mr. President, Senator Pirsch would move to amend the bill. (Pirsch amendment appears on pages 2124-25 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. President. Members of the body, if you will recall when this was on General File, we discussed it at great length and Senator Chambers had some questions and together we...in fact, he had an amendment and he agreed to wait until Select File. We have refined these amendments. They are being passed out now and I think Senator Chambers and I have the same goal in mind and these just make it clear that the actual physical injury or property damage or loss sustained by the victim is a direct result of the offense for which the defendant has been convicted. Also puts in the safeguard that a person may not be granted or denied probation or parole either solely or primarily due to his or her financial resources or ability or inability to pay restitution. In other words, to keep it strictly on the question of restitution itself and not on whether they can afford to pay or not. I agreed with Senator Chambers and I urge that you adopt these amendments. Thank you.

PRESIDENT: Senator Chizek.

SENATOR CHIZEK: On the bill.

PRESIDENT: Okay, is there discussion on the Pirsch amendment to the Schmit-Pirsch bill? If not, the motion is to adopt the amendment offered by Senator Pirsch. All those in favor vote aye, opposed vote nay. Please give us your attention to the motion on the floor which is that of an amendment by Senator