

SENATOR LAMB: Senator Warner, on the Vickers amendment to the committee amendment.

SENATOR WARNER: In this case, what the committee amendment did, maybe this is what you said, Senator Vickers, but the existing law the aid and abetted requirement only applied if it was a, as I read it, was a relative to the offender and the purpose of the committee amendment was to separate those two so that if it carried on the current requirement of the relative of the offender who did the... who was hurt but also that aided and abetted would be a separate criteria and not tied to being a relative. We merely were trying to split the two conditions rather than tying them together as they are now.

SENATOR LAMB: Is there...Senator Warner, have you finished, Senator Warner? Is there further discussion on the Vickers amendment? Senator Pirsch.

SENATOR PIRSCH: Senator Vickers, a question to you. I'm sorry I have not seen this before. You are striking, and I can't tell by the page numbers, you are striking the entire new language on 5? No?

SENATOR VICKERS: No. Senator Pirsch, what I am striking is on page 25 of the bill.

SENATOR PIRSCH: Of the bill, okay.

SENATOR VICKERS: The committee amendments would strike the language on lines 11, 12 and 13 that says, "and aided or abetted the offender in the commission of the unlawful act." I'm suggesting that if you take that language out then the statute would say, "no compensation shall be awarded if the victim is a relative of the offender." Period. My suggestion is that if we take that language out, then whether or not the victim aided or abetted, if they are a relative they wouldn't qualify.

SENATOR PIRSCH: Okay, now I understand, yes, and I concur that...and then you are adding the aiding and abetting for everyone in a new Section 5 and eliminating the Section 5 of the bill?

SENATOR VICKERS: No, the Section 5 of the committee amendments or subsection 5 under Section 5 of the committee amendments would add a new subsection 5 that says, "aided or abetted the offender in the commission of the unlawful act," which would apply to everybody, whether or not they were a relative.

SENATOR PIRSCH: Right.