

language is on page 2.

SENATOR WITEK: That's correct.

SENATOR CHAMBERS: Here's all the new language says. A person convicted of a felony for which a mandatory minimum sentence is prescribed shall not be eligible for probation.

SENATOR WITEK: Yes, that's all that language says.

SENATOR CHAMBERS: So it has nothing to do with committing a violation while on parole, or even being on parole?

SENATOR WITEK: Well, that's why I wanted to have the sections put together because then it would with the next sections.

SENATOR CHAMBERS: Well, actually it wouldn't because each one of these sections stands alone. Probation would be, occur, if a person committed an offense and a judge, instead of sentencing that person to incarceration, would say you're on probation. You don't go into the institution. So that's why I'm asking you. What impact would this have on the prison population? Do you have any idea?

SENATOR WITEK: No, I still state that my original intent with this piece of legislation was to be a deterrent to people who would be thinking or contemplating a felony while out on parole to think twice. And actually it can go either way in my opinion. Yes, it could call sometimes for a longer prison sentence, but if they don't commit another crime, then it would be a shortened prison sentence or no prison sentence at all rather.

SENATOR CHAMBERS: Senator Witek, you keep mentioning parole. Must a person be locked up before he or she can be placed on parole?

SENATOR WITEK: Would they have to be locked up first?

SENATOR CHAMBERS: Yes.

SENATOR WITEK: Yes, I think so.

SENATOR CHAMBERS: Well, this doesn't deal with somebody having been locked up at all. So what would parole have to do with