

not have that effect because it requires all these protective orders in the first place and, in the second place, it requires what's called a credible threat, which is a more difficult level of proof as I read it than proving threatening another in a menacing manner under the current statute. And both of these, by the way, are Class I misdemeanors and you can throw a fellow in jail for a year if they're being ugly about this and repeating it.

PRESIDENT MOUL: One minute.

SENATOR NELSON: Thank you. I'll give Senator Beutler any more of my time if he wants to explain more or help me out. Thank you.

PRESIDENT MOUL: Senator Beutler.

SENATOR BEUTLER: Well, I...thank you, Senator. I might just make one comment because I, too, am bothered by situations such as Senator Pirsch describes, the repeated offense, especially if it's against the same victim, and that's why this was the approach I took, Senator Pirsch, was to add the second and subsequent offense provision, worded as it was worded in 1098, and attached it to our existing statute. Senator Wickersham, I might indicate to you a judge for whom both of us have enormous respect, Judge Moran, is really the person who has been an inspiration, if you want to call it that, to me on these Criminal Code provisions. Back in 1977, when I was a law student...

PRESIDENT MOUL: Time.

SENATOR BEUTLER: More later. Thank you.

PRESIDENT MOUL: Thank you, Senators Beutler and Nelson. Senator Robak.

SENATOR ROBAK: Question.

PRESIDENT MOUL: Do I see sufficient seconds? There are. We will now vote on the motion to cease debate. All those in favor please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 26 ayes, 1 nay to cease debate, Madam President.