

**PRESIDENT MOUL:** We have ceased debate and I'll recognize Senator Beutler for closing.

**SENATOR BEUTLER:** Senator Wickersham, maybe I'll pick up on the comment that I was making to you simply because it really fits in and lays the background for my whole objection to this bill. Judge Moran did an incredible job of revising the Nebraska Criminal Code. He had a little task force that did that back in the late 1970s and, basically, the process involved going through layer upon layer of statutes that the Legislature had passed which overlapped in dozens and dozens of different ways, simply because we come in here and we do exactly what we're doing today, and Judge Moran distilled that down in 1977 to a real honest, functioning Criminal Code that the prosecutors could find their way around in, the defen...public defenders could find their way around in. The definitions were adjusted so that they made sense and covered situations. And then I noticed that in the 1980s when I was in this Legislature we started the whole cycle over again of overlapping statutes, you know, instead of to steal generally, it's to steal a pig, to steal a cow, to steal utilities, to steal this and that, when it was all covered by one statute. So what I'm suggesting to you today, what I feel very...is a very accurate statement, you have an existing statute, assault in the third degree. It's a better tool for prosecution than LB 1098. It's a better tool for prosecution. If, in fact, you want somehow to go back and address stalking in and of itself, the act of following, if that's all you want to address, if that's the crux of what you want to address you need to go back and do something other than LB 1098 because, as you learned from my exchange with Senator Kristensen, LB 1098 doesn't really get at the act of stalking. It has to go along with several other things that, in turn, will always result in the end in the prosecutor using the existing statute, assault in the third...assault in the third degree. So I'm just suggesting that we have more work to do; that we need to go back and address the act of stalking and that we ought to take the time to do that because it's wrong to pass statutes and deceive people as to what we're doing. Too often we do that not realizing that we're doing it. We should never do it. We should never do it knowing that we're doing it. So the decision is up to you, but I hope you'll give real serious consideration to taking a little more time with this matter. Thank you.

**PRESIDENT MOUL:** Thank you, Senator Beutler. We will now vote