

Crosby voted with me on that last reconsideration motion,...

PRESIDENT ROBAK: Time.

SENATOR CHAMBERS: ...I might...

PRESIDENT ROBAK: Thank you, Senator Chambers. Senator Beutler, your light is next.

SENATOR BEUTLER: Madam President, members of the Legislature, I guess we are not going to get to the topics by subject matter, so I just wanted to make a couple of comments about the amendment and the bill, itself. I am certainly going to be supporting the amendment because I think it makes the bill much better. I am certainly going to vote for cloture because I think on these matters the public and the Legislature, as a whole has a right to have an up or down vote on the matter. Whether I vote for the bill in the end or not, I don't know, because I am troubled by some of the directions that this bill takes us. But let me give you a little quiz, and I think in giving you the quiz, I can illustrate for you, if there is time enough, what some of my problems are with the direction that the criminal law is going. Take this fact situation, it is a fairly...I haven't tried to exaggerate at all, it is a fairly typical burglary fact situation. Here is the situation. A 19-year-old kid plans a break in, with his girl friend, and does, in fact, break into a house. He has burglar tools and he has an unloaded firearm with him, and he steals \$1,100 of stereo equipment. He leaves the house and a policeman sees him and he says, stop, but instead he jumps in the car with his girl friend and speeds off. Now my question to you, in what used to be considered a simple burglary, how many felonies has this person committed in that act? How many of you think three? How many of you think four? How many of you think five? How about six? Six felonies in doing that, first of all, he committed burglary by breaking into the house. Then he was in possession of burglary tools. Burglary is a Class III, by the way. Then he was in possession of burglary tools, which is a Class IV felony. Then he was in possession of a firearm to commit a felony, which is under the new law that we're passing with the amendment a Class II felony, and herein comes one of the ironies of the law. Possessing that firearm to commit the burglary was a greater offense than the burglary, itself, and it would be a greater offense than most of the felonies that would be commissioned with a firearm. You may think that is good or that is bad, but,