

SPEAKER NICHOL: The motion carried. LB 26 is advanced. LB 40, Mr. Clerk.

CLERK: Mr. President, LB 40 was a bill introduced by Senator Hoagland. (Read.) The bill was first read on January 6 of this year. At that time it was referred to Judiciary. The bill was advanced to General File with committee amendments attached. The bill was considered by the Legislature last Friday, Mr. President. At that time a motion to adopt committee amendments lost. I now have pending a motion by Senator Beutler.

SPEAKER NICHOL: Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, we spent a great deal of time Friday afternoon debating this particular measure. At that time the committee amendments which I opposed and Senator Johnson and others opposed were rejected. I don't think there is a lot of time in plowing over all of that old ground and without saying anything further I would simply move at this time that LB 40 be advanced to Select File.

SPEAKER NICHOL: Mr. Clerk.

CLERK: Mr. President, Senator Beutler would move to indefinitely postpone the bill.

SPEAKER NICHOL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, Let me remind you again that your vote is very important at this point in time. A motion to indefinitely postpone on General File takes a majority of those voting as opposed to 25 votes. So I hope you will listen especially closely to the debate at this particular point in time. You will recall that Senator Hoagland's bill is a bill that, in my opinion, takes a completely new and different tack in the criminal law and it begins the process of saying with regard to the violation of a particular statute, it will be one penalty if your violation was with respect to a certain institution, a public school for example or a community center, but it will be another penalty if your violation was with respect to a different building or institution, that is if it is your home or my home, that has less status than a community center and we are going to punish with a more significant penalty those who desecrate or vandalize a community center. And you may recall that I discussed with you to some extent before what happened in 1977 with our Criminal Code and the revision of the Criminal Code and how out of the chaos of the criminal law that had built up over the last