

is an infraction, maximum \$100 fine. Okay? Now let's say that what you tear or deface is an extremely valuable book, let's say it's a first edition of Hemingway, it's worth \$1,000, or a first edition of Willa Cather's "My Antonia," that is worth \$1,500. Because you put a specific statute in here that refers to library materials, anybody who is defending a client that has ripped up, or defaced, or destroyed a \$1,500 book is going to say, you have to prosecute under subsection (2) of Section 5 because that is a specific statute that applies to library materials, and the maximum that can happen to my client under that section is a \$100 fine. He's going to say you cannot prosecute under the general criminal mischief statute because that is a general statute that applies generally. This has been enacted by the Legislature later. It is specific to library materials. This what you are going to have to use. Then the public is going to come tearing back to the Legislature and say, hey, you passed a law that allows only a \$100 fine for destroying a \$1,500 book? These are the kinds of problems that are there, that have not been thought through. An interim study, I appreciate the fact that there was an interim study, but if it was so carefully thought through, let me ask you this, why did they come in with a set of amendments after this bill was held up by Senator Chambers and myself on General File, a set of amendments that changed each and every section of the bill? I ask you, was it really very well thought out. I suggest to you that if you leave this particular Section 5 in the bill you are buying a lot of problems, a lot of serious problems. I would ask for the deletion of Section 5 of Senator Lundy's amendment.

SPEAKER NICHOL: Question is the adoption of the Beutler amendment. All those in favor vote aye, opposed nay. Senator Beutler, four are excused. Senator Beutler.

SENATOR BEUTLER: I hate to do this, Mr. Speaker, but I guess it's going to be so slow that I would just go ahead and ask for a call of the house and a roll call vote.

SPEAKER NICHOL: Question is, shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 9 ayes, 0 nays to go under call, Mr. President.

SPEAKER NICHOL: The house is under call. Will you please