

amendment on the desk.

CLERK: Mr. President, Senator Maurstad would move to amend this portion of the Lindsay amendment. (See AM2316 found on pages 2525-29 of the Legislative Journal.)

SENATOR HALL: Senator Maurstad, you are recognized to open on your amendment.

SENATOR MAURSTAD: Thank you, Mr. President. My amendment that is filed was previously printed in the Journal and was filed to the original committee amendment. It can be found on page 2079, and it creates a gun-free school zone in the State of Nebraska. This is necessary because on April 26, 1995, the U.S. Supreme Court struck down the federal Gun-free School Zone Act that the State of Nebraska has relied upon in the past to provide a safe area for our young people to attend school. The Supreme Court, in its ruling, said that the states and not Congress have the authority to enact such criminal laws. And at least 40 other states have gun-free school zones although Nebraska does not. Criminals possessing firearms near a school put children at increased risk and, therefore, should face increased penalties. Nebraska's children have a hard enough time learning in a safe environment without having to worry about the threat posed by criminals with guns. The amendment that's before us, the gun-free school zone is defined as the area within the existence of 1,000 feet from the grounds of a school. Law-abiding citizens, and I want to emphasize this, law-abiding citizens, who keep guns in their homes will not be criminals under the act. Criminals violating firearm laws, who are within a gun-free school zone, will be subject to enhanced penalties under the amendment. This is AM2316 that is before us. Those laws include carrying a concealed weapon, transportation of machine guns, unlawful possession of a revolver, unlawful transfer of a firearm to a juvenile, using a firearm to commit a felony, and possession of a firearm by a felon, possession of a defaced firearm, unlawful discharge of a firearm, and possession of a stolen firearm. I have had passed out to you AM2316, which is the amendment. I will also pass out to the body, because you probably haven't looked at this amendment in the Journal, a section by section summary of 2316 and 371, to the bill 371. The first section, Section 7 that I want to address, increases a provision in statute, 28-1204.04 that was adopted last year as a part of the juvenile crime bill, this would add an additional offense to that section creating a Class I misdemeanor for any