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FLOOR DEBATE

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he or she is guilty of a Class IV felony. The amendments add a heightened penalty for any person who has a prior conviction for violating an earlier protection order which has expired or been dismissed, which was obtained by the same petitioner/victim, and it makes it a Class IV felony; again, a toughening of our standards with regard to criminal justice, appropriate, we think, to repetitious and unlawful conduct. Mr. President, how much time do I have?

SENATOR CUDABACK: You have about 30 seconds left, Senator.

SENATOR BRASHEAR: Thank you.

SENATOR CUDABACK: Senator Brashear, as Chairman of the Judiciary Committee, you're recognized now to open on the committee amendments to LB 82, if you...

SENATOR BRASHEAR: Thank you. Mr. President, members of the body, I appreciate your allowing me to lay out this omnibus criminal justice bill. The next bill which was originally LB 79 addresses animal abuse. And I have, frankly, been surprised at the tremendous amount of interest among my constituents and your constituents with regard to this bill. The amendment does two things; the punishment for cruelly mistreating an animal is increased, again we're enhancing penalties, and the courts are given more discretion to dispose of animals that are seized pursuant to the existing statute. These amendments do not change current definitions of animal cruelty. First the amendment draws a distinction between one who is convicted of neglecting or abandoning an animal, and one who is convicted of cruelly mistreating an animal. Presently there is no such distinction. And the law treats a person who merely neglects an animal the same as one who cruelly or brutally mistreats that animal. The cruel mistreatment of an animal would be punishable as a Class I misdemeanor for the first offense, and as a Class IV felony for any subsequent offense under the amendment. The punishment for cruelly neglecting or abandoning an animal would remain a Class II misdemeanor for the first offense and a Class I misdemeanor for any subsequent offense. Second, the amendment provides that courts may, when distributing or disposing of animals seized pursuant to existing statutes, give