

January 13, 1992 LB 312

penalties for the intentional damage to the property and animals of such facilities. The committee amendments to LB 312 become the bill and are intended to make this legislation more straightforward. The amendments to the committee amendments are really very simple and meant only as additional clarification. The amendments add the words "intentionally" and "agriculture" under Section 1 of the bill and adds a new section that clarifies that employees of governmental agencies such as the U.S. Department of Ag inspectors are exempt while carrying out their duties under the law. The bill with the committee amendments would require that a person who intentionally and without permission releases an animal lawfully confined for science research, commerce, agriculture or education would be liable to the owner of the animal for damages including the cost for restoring the animal to confinement or to its prior health. The person also would be liable for the cost of repeating an experiment, including the replacement of the animal, labor or materials. It would also, the bill would also establish penalties for those found guilty of violating the act. And the first offense would constitute a Class II misdemeanor and all subsequent offenses would be Class I misdemeanor. Madam Speaker, these are the amendments to the bill. And I want to thank Senator Schmit for bringing this before the body. And I think we in Nebraska are very fortunate that we have had very few incidents so far. But I think it sends the right kind of message to some of our militant animal rights groups operating on the fringe of Nebraska, and I think maybe this could present that. With that I move for the adoption of the amendment.

PRESIDENT MOUL: Thank you, Senator Rogers. Mr. Clerk, do you have amendments on the desk?

CLERK: Senator Rogers, you had amendments to the committee amendments, Senator, that were filed last year. Do you still want to take those up?

SENATOR ROGERS: Well, they've already been explained then basically. No, they've already been explained in the amendments that I give.

CLERK: So do you want these amendments then, these amendments to the committee amendments?

SENATOR ROGERS: Yes.