

Beutler said. Maybe Loran can enlighten me also.

PRESIDENT MOUL: Senator Schmit.

SENATOR SCHMIT: I believe I understand what Senator Beutler is referring to, and I think...I know there are those who agree with that philosophy. The problem we have, Senator Beutler, is that I believe the penalties should be substantial. And I think that what the committee has attempted to do is reflect that thinking in the manner in which they have drafted the penalties. The situation at DeWitt, for example, with the Waldo Farms was one which resulted in the loss of many millions of dollars to that family. And the experiments to which we refer, while although they may be somewhat limited in scope from the standpoint of the numbers of livestock involved, may have impact in the millions of dollars. And it was my intention to make the penalty severe enough to deter those who would willfully and intentionally interfere with such an experiment because the numbers of the livestock involved, the size of the experiment may not really reflect the value of the experiment to the individual, to the institution, or to society. And so, therefore, I believe the more severe penalty is preferable. If I'm in error there, Senator Beutler, I stand corrected, but I do not think that I am. Thank you.

PRESIDENT MOUL: Thank you, Senator Schmit. Do you wish your time also? Okay. Does anyone else wish to speak to this bill? Senator Beutler.

SENATOR BEUTLER: Senator Schmit, Senator Rogers, let me ask you if it would be possible to do this. Section 1 of the bill I think is an excellent section. Section 1 of the bill is the provision that sets out the civil right to damages and it sets out what those damages are in the event that there is some kind of interference in the relationship and some damage is done. It provides for the cost of confinement, any damage to the health of the animal, damage to real property caused by a released animal, and it says that a person shall be liable for those costs, including the cost of repeating experiments, for example. Now I think it's very good to make all that clear, especially in the context of a rather unusual situation. Section 2 of the bill is the section that in my opinion confuses the legal situation. And would it be possible to simply strike out Section 2 and rely upon the criminal mischief provision to do what I feel certain it does which is cover this situation right