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FLOOR DEBATE

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provisions, misdemeanor penalties. In the green copy of the bill, they tried to very closely parallel the punishments provided in federal law under state law by identifying a number of violations of different sections of law in the green copy as Class I misdemeanors. In the federal law, though, in each case where there was a misdemeanor, they always talked about a person who knowingly violated the law. For example, with respect to violations of Section 302 of the federal provision, they say a person who knowingly resumes possession of property in violation of the law, dah, dah, or who knowingly attempts to do so shall be fined in accordance with, et cetera. So they always use the word "knowingly," and that was probably very wise in the sense that it may well be that in a number of these situations since the creditor or the lessor or the owner of property may or may not know that the person is engaged in guard activities, and may or may not know that the person has been actively called up, and those two preliminaries would have to pertain before a person might be in violation of the law. And so the federal law sought to make clear that it had to be a knowing violation of the law. And what my amendment does simply is to insert in all of the misdemeanor provisions in the green copy the fact that violations under our law should also be done knowingly, so that basically the parallel that is being drawn to the federal law is more closely ascertained by taking out of the federal law and into our law that word "knowingly" and thereby making the penalty provisions roughly equivalent. Thank you.

SENATOR CUDABACK: Thank you, Senator Beutler. Mr. Clerk, motion on the desk.

CLERK: Senator Chambers would move to amend Senator Beutler's amendment. (FA1468, Legislative Journal page 652.)

SENATOR CUDABACK: Senator Chambers, to open on your amendment to the amendment to LB 963.

SENATOR CHAMBERS: Mr. President, members of the Legislature, this is a friendly amendment. After the word "knowingly" in Senator Beutler's amendment, I would add the two words "and intentionally." This is almost like a mantra in Nebraska law and other laws when we're talking about crimes. A person may