

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LB61**

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**Hearing Date:** Tuesday January 22, 2019  
**Committee On:** Agriculture  
**Introducer:** Halloran  
**One Liner:** Change and eliminate provisions relating to rabies

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Blood, Brandt, Chambers, Halloran, Hansen, B., Lathrop, Moser, Slama  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

**Proponents:**

Senator Steve Halloran  
Bruce Brodersen  
Bradley Beam

**Representing:**

Introducer  
Nebraska Veterinary Medical Association  
Self

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 61 is introduced to resolve conflicts between current statutes regarding the prevention and control of rabies with current science detailed in the Compendium of Animal Rabies Prevention and Control published by the National Association of State and Public Health Veterinarians. The bill would, in various provisions of Sections 71-4401 through 71-4412, remove statutory prescription that conflicts with current rabies exposure response and management practices, as recommended in the Compendium and authorize the Department of Health to adopt by rule and regulation consistent vaccination and rabies incident protocols and standards. LB 61 makes the following section-by-section specific revisions:

Sec. 1: Amends Section 71-4401 to follow statutory convention to place defined terms utilized in Sections 71-4401 through 71-4412 in alphabetical order. The definition of "domestic animal" is revised to include the species identification of dogs and cats and to add ferrets. The term "vaccination against rabies" is revised to refer to USDA licensed vaccine administered in accordance with labeling rather than as approved by the Department of Health.

Sec. 2: Amends Section 71-4402, which currently requires domestic animals to be vaccinated against rabies according to initial and revaccination schedules prescribed by rule and regulation of the Department of Health. LB 61 prescribes initial vaccination at three months of age and one year, and booster vaccination consistent with vaccine labeling.

Sec. 3: Amends Section 71-4402.03 to more accurately identify a federal agency that is a source of recommendations consulted by the Department of Health in promulgating rabies regulations.

Sec. 4: Amends Section 71-4406, which currently prescribes protocols for the impoundment and observation of "any animal" that has bitten a person. LB 61 would provide that the section applies only to the defined term "domestic animals" and strikes statutory prescription relating to post bite protocols and provide that post incident management of the biting domestic animal shall be according to rules and regulations adopted by the Department of Health.

Sec. 5: Amends Section 71-4407, which currently prescribes protocols for domestic and hybrid animal (hybrid is a defined term meaning a cross between domestic and non-domestic dog species) that are bitten by a rabid animal. LB 61 strikes statutory prescription and provides that post exposure management of the animal shall be according to rule and regulation of the Department of Health. Such protocol would apply to animals exposed to a confirmed or suspected rabid animal.

Sec. 6: Repealer

Sec. 7: Outright repeals Section 77-4402.01, which directs the Department of Health to adopt regulations identifying rabid animal species, species amenable to rabies immunizations, and tests for detecting rabies.

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**Explanation of amendments:**

The committee amendment strikes Section 2. The amendment further inserts a new section making a clarification in Section 71-4403 pertaining to information to be entered by veterinarians on certificates of vaccination. Finally, the amendment inserts statutory guidance on page 4, line 20 regarding the purposes for which the Department of Health may promulgate rules and regulations.

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Steve Halloran, Chairperson