

responsibility should be accepted by the people who have charge of that minor. So I still would like to see Section 8 stay in there. I think that when the regulations are drawn, I think that the animal control people can...will see to it that that is a fair...that that Section 8 is treated fairly, and that the children are also treated fairly. Thank you.

SPEAKER BARRETT: Thank you. Senator Wehrbein, Senator Lindsay next.

SENATOR WEHRBEIN: Yes, Mr. Speaker and members, yes, just briefly. The way this reads it's a minor child, the parent of such minor child with whom the child resides, or legal guardian. So, the way I would understand it, it wouldn't necessarily be a mischievous criminal act that would be involved here, but there would be...the animal would be under the control of the parent in a lot of ways, if that parent...child is actually residing there. So I would support this amendment.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Thank you, Mr. President. I think we've got to make clear what Senator Dierks is trying to do, I think, is good, and that is to prevent some of the neglect that might be occurring due to a child maybe not having the proper training or not being disciplined properly in order to coerce, I guess, the child into making sure that that animal is taken care of. The problem is, if you remember, earlier this week we spent a lot of time on a DWI law because we said it was written too broadly, that it was, I think I used the term we were hunting squirrels with a howitzer. And that's kind of the problem here, too. We're not talking just about those small children. We are talking about...I don't expect...this a rhetorical question, so don't anybody incriminate yourself. But if you remember back to high school, some of the activities that you may have participated in, but maybe not directly dealing with animals, but activities, if you can think of any criminal activity, criminal mischief type things that you may have been involved in, and high school kids do it, let's face it, high school kids do that type of thing. Now, imagine if your parents were...had criminal liability imposed upon them for that activity or your children, if you had criminal liability imposed upon you for what your children did. The way this is written it does not apply just to small children. That may be true. To make the parents liable at that point, that may be valid, but that's not