

SENATOR HABERMAN: On page 3, number 6, you mention law enforcement officer shall mean any member of the State Patrol, any county or deputy sheriff, or any member of the police force of any city or village. That limits it to these people. You're excluding the Game and Parks people who are qualified police officers. They go through the training and they are qualified, they are called in by the State Patrol on cases. Is that correct, or am I wrong?

SENATOR DIERKS: You have good oversight, I think, but it isn't really correct. We have, in Section 9 of the bill, it says that nothing in Sections 1 to 9 of this act shall be construed as amending or changing the authority of the Game and Parks Commission. So we do not change any of their authority, they are still qualified to do the things...

SENATOR HABERMAN: Okay, but isn't this a little confusing? All right, we'll pass on. On page 4, Section 4, any law enforcement officer who has reason to believe that an animal has been abandoned...that's a judgment call, isn't it? I mean...

SENATOR DIERKS: Senator Haberman, that section has been stricken with the committee amendments.

SENATOR HABERMAN: Oh, good, okay, fine. I'm glad you did, because that's kind of a bad section. What about page 5, Section 4, number 2, any law enforcement officer who has reason to believe an animal is being cruelly mistreated, is that still in there?

SENATOR DIERKS: That is still in there, but has been changed a little bit by the committee amendments. It reads now, any law enforcement officer who has reason to believe an animal has been abandoned or is being cruelly neglected or cruelly mistreated may issue a citation to the owner as prescribed.

SENATOR HABERMAN: What would cruelly mistreated, what would that mean?

SENATOR DIERKS: Well, that would mean....

SENATOR HABERMAN: Can I kick my dog? Say my dog is...I want to teach it a lesson, can I give it a kick? Is that mistreating it?