

CLERK: 24 ayes, 0 nays to go under call, Mr. President.

SPEAKER WITHEM: The house is under call. All members return to the Chamber, record their presence. Members, please check in. All unauthorized parties leave the floor. Senator Preister, you have remaining four minutes on your closing time.

SENATOR PREISTER: Thank you, honorable President. Again, friends all, I rise to close on this amendment and for those that are here and coming from their offices, as they are busy doing other things, I will remind you that this amendment basically takes trapping out of this bill that Senator Elmer has introduced. I have, in the committee hearings and also in testimony this morning, heard of no incidences where this is even happening. So I don't know, from that perspective and from what Game and Parks said, that this is a problem, so I don't know why a law is necessary for a problem that doesn't even exist. However, considering the testimony that we have heard, to take trapping out does not prevent anybody from actually trapping or from doing anything that they're legally or lawfully able to do now. So we're not stopping anything. What we are doing though is allowing somebody, whoever that may be, to show an act of compassion and not be faced with a jail sentence or a fine of up to \$500. Now it's at the discretion of the judge but that judge certainly has it within their power to sentence somebody to three months in jail and to a 500 dollar fine for simply showing an act of compassion. I submit to you that I do not think that that's the type of law that this body wants to enact, that, in fact, more and more I think we need to show compassion rather than to discourage that kind of an emotion. In terms of somebody having something in a trap, I believe in addition to what Senator Jones alluded to that there is actually possession of that animal being the person's property, some case law and it goes back quite a distance in Pearson v. Post that dealt with pursuing foxes. It's from the 1600s and it's from the foundation of American property law and it decided that possession is nine-tenths of the law. So, therefore, this is already covered. If an animal is in the trap and the person who owns the trap chooses to pursue this in court, they already have case law on their side. They're already covered. We don't need to put this in statute a second time. We don't need to expose people to being faced with jail time for showing an act of compassion. And I would respectfully request that you vote in favor of this amendment which will virtually do nothing to the bill, will do absolutely nothing to prevent trappers from