

or you have a sniffer dog and the dog is sniffing around this car and people can see it. So, and, Senator Wehrbein, I hope you will allow me to say that I don't think we're talking about the things that maybe kids would do if they see a police dog, and they are curious, I am talking about like we put in knowing and intentional. Somebody starts doing things to prevent that dog from carrying out that sniffing. Let's say that the person, I don't know if they'd do this, they have some sneezing powder and they throw it in the dog's nose or something like that where it is clear the dog is doing something or the horse is doing something that pertains to what the officer's duties are.

SENATOR WEHRBEIN: Okay.

SENATOR CHAMBERS: And again it would get away from that situation of the dog just being there. Now under the cruelty to animal statute, if somebody would harm...let me see, because I think some of that language might be in this existing law, but if a person, I had seen something that talked about if you mistreat, harm or do any of those things...oh, on page...on the front side of the E & R amendment, it would be on page 2,...

SENATOR WEHRBEIN: Yes.

SENATOR CHAMBERS: ..starting in line 6, cruelly mistreat means to knowingly and intentionally kill, maim, disfigure, torture, beat, mutilate, burn, scald, or otherwise inflict harm upon any animal. So if the animal is not engaged in its activities and somebody did these things, it could still get the person under the cruelty to animal statute but it wouldn't be this harassment one and it kind of narrows the scope.

SENATOR WEHRBEIN: All right, that's what I wanted to make clear, that if a dog...let's say a horse was standing simply in a parade route at attention or however but was doing nothing and someone came up and intentionally slapped it so it was scared, those type of things, if it didn't fit here, you would say it could be done under the other statute which would be cruelty, if you could prove cruelty, obviously, but an instant slap or a hit across the nose, as you walk by in front of it, just for orneriness or, say, you are slapping a fly, but they would still be vulnerable to a charge of cruelty to animals under that one? Is that...

SENATOR CHAMBERS: If the harm is of sufficient magnitude, but