

Class IV felony. Now what I would do is strike the words "results in" and substitute "is the proximate cause of". This is the way it would read, "Harassment of a police animal is a Class IV misdemeanor, unless the harassment is the proximate cause of the death of the police animal, in which case it is a Class IV felony." Let us say that we have a situation similar to...what this example. And I'm going to tell Senator Wehrbein and anybody else who's listening, my examples may not be perfect either, but just for illustration reasons. Let's say that I shout at a dog and the dog jumps away and a car is parking and the car hits the dog. Then I was not the proximate cause of that, they could still get me, if the dog was on duty, for harassing, but it would still be that lesser offense. What I do would have to directly...well that's what proximate cause means, it's the direct reason that something occurs and there is no intervening cause or force. Maybe the more I say the more confused it becomes. So let me see what questions you might want to ask me, then I can clarify further if necessary.

PRESIDENT ROBAK PRESIDING

PRESIDENT ROBAK: Thank you, Senator Chambers. Senator Wehrbein.

SENATOR WEHRBEIN: Yes, Mr...Madam Speaker, we got a switch here. Madam Speaker and members, I think I support this. I do know of one that was killed in our county by doing an investigation, ran across the road, someone came by and killed the dog doing its duty but it was not deliberate, obviously. I assume that that's kind of what this gets at, although like you said they could still get them for teasing or that type of thing, but it wouldn't be the direct result. I'm probably not quite as supportive because even in your result, if you intentionally shock an animal, and it might a horse where you suddenly scare a horse, although they're supposed to be well trained, they might jump out in front of a semitruck, it would be about the same thing, moving in traffic where they're used for traffic control. So I will accept this amendment. I hope I'm not making a mistake, some day I may be back to correct it.

PRESIDENT ROBAK: Thank you, Senator Wehrbein. Senator Lynch would like to announce that the following guests are visiting the Legislature, Kevin and Gina Marie Mills are here from Orlando, Florida. They are the son and daughter-in-law of Jack and Norma Mills. And Norma is in Senator Lynch's office. They