

just say, I perceived that there was a threat to bodily injury or a threat of death, and it would immediately make your bill moot as far as I can see by...if this amendment was adopted. So I guess if I'm understanding this correctly and this portion of the amendment is adopted there really is no need for your bill because a person could go into court under the same circumstances, of injuring a police animal, and whether in commission of a crime or even at a parade or something, and just say, after they injured the animal, that they perceived a threat or thought that they would sustain some bodily injury because of whatever and build their case on it and then their action could be found, I guess, could be found okay by the courts. So what would be the purpose of even having your bill in here to try to define what circumstances would occur when someone would be able to...or trying to keep individuals from harming an animal? All you'd have to do is harm an animal and then just say, I perceived that they were a threat to me or that I might be injured and that's why I did it. So I guess I'm glad that you stood up and said that you had some problems with this section, because I have some problems with this section and it seemed to be going along so well here. But it seems to me that this section, if it's adopted, would render really the purpose of your bill useless and there would be no need for it because it would all be decided then in the courts as it is now, I assume. So I rise in opposition to this part of the Chambers amendment. Thank you.

PRESIDENT ROBAK: Thank you, Senator Witek. Senator Elmer.

SENATOR ELMER: Thank you, Madam President. In listening to the debate here I was thinking about the role the dogs have with the State Patrol. I'm unaware of any dogs being used other than in cases where they're looking for drugs. And the breeds of these dogs are normally shepherd type, not the attack dogs like Doberman's or Dane's. And part of the value of a dog is the intimidation that that presence of that animal has rather than its actual ability to hurt or maim. In these circumstances where they're using them for drug enforcement, and to the best of my knowledge that's the only thing they're used for, I think that this particular language would be inappropriate. Thank you, Madam President.

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

SENATOR CHAMBERS: Madam President, members of the Legislature,