

I oppose the amendment.

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

SENATOR WITEK: Madam Chair, members of the body, Senator Chambers, would you yield to some questions.

PRESIDENT ROBAK: Senator Chambers.

SENATOR CHAMBERS: If they don't take too long.

SENATOR WITEK: (Laugh.) I'll talk real slow.

SENATOR CHAMBERS: Sure, I'll answer.

SENATOR WITEK: I truly am concerned about this, though. The way you make it sound, and I have...everybody is concerned with some kind of injury occurring in a crowd when they're trying to do crowd control, maybe an animal pushing anyone up...I mean that would scare me, that would scare anyone being in that situation with a horse, it's a huge animal. So I understand those instances that you're trying to get to. But the way you make it sound is right now would a person who...okay, if a horse shoved somebody up against a wall accidentally or on purpose and they perceived a threat, bodily threat to them, right now could they go...could they shove that animal...let's say they shoved that animal aside and somehow it would hurt itself or spook it and some injury would occur to the animal. Could they then defend themselves in court right now without this bill and just say, you know, I didn't mean to do that, I perceived there was a bodily harm? Why would we need this language?

SENATOR CHAMBERS: Sure that could be done, in the same way that despite the fact that the constitution and U.S. Supreme Court decisions guarantees certain rights to the citizens, based on the constitution. We nevertheless have state statutes that spell those things out. So it's not necessary to go only to a federal court. You have a state law that deals with it, so you deal with it here or at the federal level. So one of these cops did it, you could go into federal court, just like they did in the south when these dogs were being sicked on these people. So if that's what they want, they cannot stop somebody from filing an action. What I'm trying to do is get some kind of a guideline into the law. And you all don't want it because the patrol out there says, no, we don't want it. But the patrol