

SENATOR CHAMBERS: Okay.

SENATOR PIRSCH: I just wanted to talk that through you (sic). I think probably this would be all right, although I have some reservations. Thank you.

PRESIDENT ROBAK: Thank you, Senator Pirsch. Senator Withem would like to announce the following guest is visiting the Legislature, Brent Siegrist is here from Council Bluffs, Iowa. He is the Majority Leader in the Iowa House of Representatives. He is under the north balcony. Mr. Siegrist, will you stand and be recognized, please. Welcome to the Nebraska Legislature. Senator Wehrbein, your light is next, followed by Senators Witek and Elmer.

SENATOR WEHRBEIN: Yes, Madam Speaker and members, this is the fork in the road where Senator Chambers and I take a different path. I'm going to oppose this amendment and primarily because it really defeats the purpose of the bill if we have to get into it. And part of it is the fact that an eminent threat of death or bodily injury is...can be perceived differently by different people. So it would be a very difficult issue, I think, to really...to work through and have everyone understand that. So we would have...what might represent a threat to some may not to others. And that would be one difficulty. But the main thing about this that I'm going to oppose it on is the fact that these dogs are taught to go for the appendages, an arm or a leg, they are not taught to attack in the traditional sense. They are not taught to attack to kill. And even though a victim, I shouldn't say victim, but a person that is being challenged here may think the worst is about to happen, it shouldn't. And I think if you take this out of the bill and allow someone to fight back, it's going to make it very difficult for a police dog ever to be used properly...ever to be properly used. These dogs are well trained, they're going to do what their handler says. They are not going to do undue bodily harm intentionally. I mean obviously they could have a tooth mark or something like that could happen. But the point is that just like in resisting a human officer, you're not supposed to resist. And I...a person that's fleeing from an animal, and I assume we're primarily talking about a dog here, simply has to quit struggling and the animal will quit. They are only going to do that amount of conflict or, I can't think of the word I want, but they're only going to do that amount of activity that they have to do. And