

is...out in the country if somebody comes to the door, is that willful trespass or a salesman comes to the door and you have a dog that happens to nip at his coat?

SENATOR WESELY: Well, I would say that is not necessarily trespassing but I am being advised that it is, evidently.

SENATOR WARNER: So, in other words, the dog would not be considered a dangerous dog if a salesman came to the door out in the country and the dog nipped at him?

SENATOR WESELY: Yeah, I think it is if you posted no trespassing or no solicitors or something, then there would be adequate notice. I think if somebody, in my own estimation, if somebody is just coming up to your door, a mailman or something, and they get chased after, I would be concerned about that. We can define that more clearly if you want to. What particularly (interruption)...

SENATOR WARNER: Well, later on on page 4 it defines the owner of a dangerous dog shall post a warning sign that is kept clearly visible. You know, I have no problem at all with what you are trying to get to, but I can certainly think of many a time where a farm dog has...for whatever reason, didn't like somebody who came to the door and took a nip at them, or does this have to have...an animal control officer has to have studied it and cited it for two incidents, so if nothing was reported, I assume nothing happens.

SENATOR WESELY: Right. Yeah, you would have to have...I will give you an example. There was a fellow who was jogging down the street and a German shepherd took out after him for no apparent reason and the guy ran up a tree, evidently, and finally the owner of the dog came out and got the dog back. Well, that is, obviously, an unprovoked attack that could have ended up with some serious damage, and so we are trying to get something, that would be a potentially dangerous dog and so you call the animal control and they would be cited. And then if it happened the second time, if they'd attack that person or somebody else a second time, then they would be dangerous and have to be leashed if they are off the property, and in this pen, and all that stuff. So on the case that you are talking about, if somebody got out the door and the dog went after him and kind of gave him a scare and they didn't report it, then there wouldn't be any record of it and no follow-up, but if it