

because of whatever it is, draws people to it, and if a person is injured, even as a trespasser, the property owner is liable. And I wouldn't want a dog to be put in a separate category from these other dangerous instrumentalities. So that a person could not have dangerous dogs running about, just because the property is private. So I'm going to vote against the bill...I meant the amendment, at this time because I don't know what all it will do.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Discussion on the Wesely amendment? Senator Lamb. Senator Wesely, would you respond to a question? Excuse me, Senator Lamb, your mike, apparently, isn't on. Would you try Senator Johnson's microphone, Senator Lamb, please.

SENATOR LAMB: Mr. President, members, I would ask Senator Wesely some questions in regard to the bill. And I'm sorry that I missed part of the discussion on General File in this area. But I'm concerned about the fact that, if I have a dog that goes over on the neighbors property, which is out in the country say, and kills a stray cat on the neighbors property, is that dog automatically a dangerous dog?

SENATOR WESELY: Yes, under page 2, line 18, well not automatically. You've got, first off you've got to have the other individual file a complaint and it has to be confirmed by the sheriff or somebody. So, first off, if your dog went over and killed somebody else's cat, that person would have to be pretty mad about it and file a complaint against you, and then, under this definition, yes, if it's killed another domestic animal without provocation, if the dog was off the owners property it would be deemed a dangerous dog. Then all that would have to happen is it would have to be contained within a cage or on a leash and not allowed to roam wild again.

SENATOR LAMB: But dogs kind of just naturally kill cats.

SENATOR WESELY: Not necessarily.

SENATOR LAMB: That's sort of just a natural happenstance, is it not, that dog...cats are at risk. Cats and dogs sort of fight as a...just in the natural course of events. I guess I'm wondering if this isn't a little bit too strong in some of these situations that might occur.