

could. But I'm not going to repeat it. If he chooses to say it, I will let him, because I don't think I could finish the statement. But for the reasons that I gave, I will vote against the amendment. I think in general the bill is good. But remember, if you create an immunity here that is virtually absolute, I'm not sure if it's something that you want to do. And I understand what Senator Wesely and the others are trying to work out. But an attractive nuisance still allows the owner to be liable. I couldn't rig up a cross-bow to protect my peach tree from children or anybody else climbing over the fence to get the peaches. You can't even rig a spring gun in your house that will kill somebody if they come through the door. You can do it, but there have been people who have done it and they have been held legally responsible. So I meant as far as having the know-how, you can do anything you want to, but legal liability will attach. And I think that dogs can be as dangerous...

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: ...as other instrumentalities in the same way that every gun should be considered loaded, every dog with teeth should be considered a biter. And if there are situations where the circumstances that Senator Wesely indicated would indicate that this dog is likely to do something, then maybe it should be possible to place some restrictions on the owner with reference to that dog. I don't know what amendment you would draft, but this one might be broader than what I could support.

SPEAKER BARRETT: Thank you. There are no other lights on. Senator Wesely, anything further on the amendment?

SENATOR WESELY: Thank you, Mr. Speaker, members. As you can see from Senator Lamb's discussion and Senator Chambers' I'm between a rock and a hard place here in trying to find a middle ground. I think, you know, both have got legitimate concerns. And I think this bill attempts to deal with both. The particular amendment deals with the question of trespassing. It's already in the bill and this is taken from model legislation out of Oregon, I believe. We can work with Senator Chambers on further modification. I understand what he's saying. This bill deals with trying to identify dogs and get them taken care of before they hurt people, that's really the intent. It's a preventive effort to try and spot these dogs and do something about it before somebody gets hurt. The free bite thing isn't exactly the case. We do have provisions, if they