

February 7, 1992 LB 1011

and could not recover damages because of a negligent act of a dog owner. I'd be glad to answer any questions. I have run this bill past Senator Chizek, his staff. They say it is a flaw in the law that needs to be fixed. The law is maybe a little archaic because it also deals with farm dogs and their injuries to livestock, but what we are trying to do is close a loophole in here so that someone who is wronged by the act of a dog can recover damages. It is certainly not my intent to increase the liability of dog owners, but when something this blatant happens and they are unable to recover damages, it appears like we need to change our statutes. So, basically, all we are doing is adding the word "injury" to this statute.

PRESIDENT MOUL: Thank you, Senator Schrock. Senator Morrissey.

SENATOR MORRISSEY: Yeah, thank you, Madam Speaker and members. Senator Schrock, some questions.

SENATOR SCHROCK: Certainly.

SENATOR MORRISSEY: Page 2, line ...well, line 11 is where it discusses that. I understand your intent. I guess this was existing language anyway, "worrying or chasing any person or persons..." How do you define worrying a person? If I am living across the street from someone who has got a dog, and that dog worries me, can I file charges and get damages from that person?

SENATOR SCHROCK: No, absolutely not, Senator Morrissey. It has to injure you.

SENATOR MORRISSEY: That is not how I read it though.

SENATOR SCHROCK: Well, we are not changing that part of the statute.

SENATOR MORRISSEY: Well, I know, but I am saying maybe that needs to be changed.

SENATOR SCHROCK: Well, that could be, that could be. What page are you on?

SENATOR MORRISSEY: Page 2, line 11. It says, to any person, other..., let's see, dogs are hereby declared to be personal property for all intents and purposes, and the owner or owners