

April 13, 1992 LB 415, 1011

the bill.

PRESIDENT MOUL: LB 415 passes. I would now like to call the senators' attention to the south balcony. Special guests today of Senator Wehrbein are 30 fourth graders from Central Elementary in Plattsmouth and their teacher. Would you please rise and be recognized. Welcome to the Chamber. Thank you. We will proceed with LB 1011.

CLERK: Madam President, Senator Chambers would move to return the bill.

PRESIDENT MOUL: Senator Chambers.

SENATOR CHAMBERS: Madam President and members of the Legislature, this is a bill which is not very lengthy and I've made a motion to return the bill to strike the enacting clause. The language that I'm concerned about so that I can give as complete a picture as possible is existing law. This bill was brought to the Agriculture Committee. It should have gone to Judiciary because it relates to liability, but it went to the Agriculture Committee and the reason it was brought is to include another word in existing law which is the word "injuring". Apparently, an elderly lady had been attacked by a dog and there was not an outward showing of a bruise or a break in the skin, but there was some internal injury and the court, based on what we were told in committee, and I'm trying to give it as correctly as it was given to us, had indicated that the statute did not talk about this kind of an injury so there was no recovery. The bill was brought to insert the word "injuring" among the types of things that a person could obtain recovery for if it were caused by a dog. Once the bill was brought to us and the language was before the committee, I read the language as I do most bills that relate to liability and under the existing law and this bill, as it exists now, the owner is absolutely liable for anything the dog does. If you were to take your dog to a vet.... Senator Dierks, may I ask you a question?

PRESIDENT MOUL: Senator Dierks.

SENATOR DIERKS: Yes, sir.

SENATOR CHAMBERS: In your veterinary work, do you ever deal with dogs?