

# ONE HUNDREDTH LEGISLATURE - SECOND SESSION - 2008

## COMMITTEE STATEMENT

LB925

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**Hearing Date:** January 22, 2008

**Committee On:** Agriculture

**Introducer(s):** (Fischer)

**Title:** Change provisions relating to estrays

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**Roll Call Vote - Final Committee Action:**

Advance to General File with Amendments

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**Vote Results:**

7 Yes	Senators Dierks, Dubas, Erdman, Karpisek, McDonald, Preister, and Wallman
0 No	
1 Absent	Senator Chambers
0 Present, not voting	

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**Proponents:**

Senator Deb Fischer

Kent Myers

John McFadden

**Opponents:**

**Representing:**

Introducer

Nebraska Farm Bureau

Nebraska Farm Bureau

**Representing:**

**Neutral:**

Pete McClymont

**Representing:**

Nebraska Cattlemen

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**Summary of purpose and/or change:**

LB 925 essentially amends the law of estrays and trespassing animals to apply its provisions to goats. Specifically, the bill:

- Amends §54-401 by section 1 of the bill to add goats to the list of stock whose owners are subject to liability for damages caused by the stock trespassing on the property of another. The inclusion of goats in this section extends applicability of provisions of §54-401 - §54-407 pertaining to the right of landowners to impound trespassing animals, to have a lien on such animals and procedures for resolving and recovering damages.
- Amends §54-415 assigning duties to the Brand Committee or county sheriffs for the disposition of stray animals and resolution of landowner claims for costs of caring for stray animals and damages suffered when the owner is unknown. The provisions of this section are revised to allow sale by any expedient means for

estrays goats rather than the current general rule of sale of estrays through an auction market to reflect that few auction markets handle sales of goats. Section 54-415 by internal reference applies to estrays as defined by the Nebraska Brand Law (§54-180). Estrays as defined under 54-180 do not include goats. LB 925 amends 54-415 to clarify that it applies to goats.

**Explanation of amendments, if any:**

The committee amendment strikes section 2 of the bill containing revisions to §54-415 and therefore limits the bill to those provisions pertaining to disposition of trespassing animals.

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Senator Philip Erdman, Chairperson