

May 1, 1981

LB 501

George Fenger. (Read title.) The bill was read on January 20, referred to Urban Affairs. The bill was advanced to General File.

PRESIDENT: The Chair recognizes Senator Fenger.

SENATOR FENGER: Thank you, Mr. President, and fellow members, LB 501 amends the state statutes which would allow cities, metropolitan, primary, first class, also second class and villages to license and regulate animals other than dogs within the boundaries. At the present time cities are allowed to regulate dogs. Problems were brought to light last year in my district where city officials undertook the task of rewriting their animal control ordinance. They found that the model animal control ordinance as proposed by the United States Humane Society includes language to regulate, license or prohibit the running at large of animals other than dogs. Our City Attorney could find no statutory authority to let cities regulate anything other than dogs. They went ahead with a new ordinance but it contained only reference to those dogs. Omaha already regulates all types of animals. They are able to do it because of the Home Rule Charter, but I know of no other cities which regulate cats and other animals. These other cities may do so but they are doing it under a broad general welfare clause. What I am asking in this bill is to bring state statutes in conformity with model legislation for cities. This does not require cities to adopt any type of ordinances, but if they feel it to be important in their cities and to their citizens, they will now have the option to do so. According to the Lincoln Lancaster Department of Health, the Animal Control Division said that regulating animals no matter what species, reduces impulse buying of pets and ensures that individuals are aware of their responsibilities for these pets, and it could reduce dumping unwanted pets on the populace. Under 501, citizens are still afforded a voice, city councils must follow guidelines in passing ordinances, and failure to give this option to city councils could keep cities from addressing an area which could bring problems to them. I urge the body to advance 501 to E & R for Initial. Thank you.

PRESIDENT: No further discussion. Seeing none, Senator Fenger, I guess that is your opening and your closing. The question is the advance of LB 501. All in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 1 nay, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries and LB 501 is advanced to