

# COMMITTEE STATEMENT

## LB 701

HEARING DATE: February 11, 1999

COMMITTEE ON: Natural Resources

TITLE: (Tyson ) Change fence provisions relating to recreational trails

### ROLL CALL VOTE – FINAL COMMITTEE ACTION

---

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

#### Vote Results:

6	Yes	Senators Bohlke, Bromm, Hudkins, Preister, Schrock, Stuhr
1	No	Senator Jones
0	Present, not voting	
1	Absent	Senator Bruning

#### PROPOSERS

---

Senator Eugene Tyson  
Larry Voecks  
Susan Roedenburg  
Sandy Wolfe  
Nora Huscher  
Christina Anholt

#### REPRESENTING

---

Introducer  
Nebraska Game and Parks Commission  
Nebraska Trails Council  
Madison County Convention and Visitors Bureau  
Friends of the Cowboy Trail  
UNL Environmental Resource Center

#### OPPOSERS

---

Bryce Neidig  
Don Ormesher  
Claude Reyman  
Donita Thompson

#### REPRESENTING

---

Nebraska Farm Bureau Federation  
Self  
Self  
Self

#### NEUTRAL

None

#### REPRESENTING

---

#### SUMMARY OF PURPOSE AND/OR CHANGES:

The purpose of LB 701 is to correct a reference to a recreational trail, which should have been identified as a "state" recreational trail. The only state recreational trail is the Cowboy Trail.

## COMMITTEE STATEMENT

It removes the requirement that the fencing along any portion of a state recreational trail be the same type of fencing that was required of the railroad. It provides standardized fencing requirements along the trail and cost-sharing requirements of no less than the private landowner, and allows the percentages to be greater than a private landowner.

The bill states that the Commission's cost share responsibility for fencing would not exceed the amount appropriated by the Legislature for such purpose.

### EXPLANATION OF AMENDMENTS, IF ANY:

The committee amendment strikes the original Section 3 of the bill and adds the following: The Game and Parks Commission would have the responsibility for building or replacing the existing fence and maintaining all fences that divide a single landowner's property. However, where the trail does not divide a single landowner's property, the Commission would have the responsibility for building the fence or replacing the existing fence, and the landowner would have the responsibility for maintenance.

The committee amendment eliminates the requirement that a hog-tight fence be built and establishes that a fence of four strands of barbed wire of not less than 12.5 gauge wire, secured to posts not more than one rod from each other be built unless the Commission and adjoining landowner agree to another type of fence. It also establishes that the fences built under this section meet the requirements of Section 37-1007.

The committee amendment requires the Game and Parks Commission to adopt and promulgate rules and regulations.

---

Senator Ed Schrock, Chairperson