

SENATOR WICKERSHAM: ..about the circumstances when you can't reasonably know that they are there.

SENATOR BEUTLER: Thank you.

PRESIDENT MOUL: Thank you, Senator Beutler. Senator Wehrbein.

SENATOR WEHRBEIN: Yes, Madam President and members, Senator Beutler, I...you know, this is the heart, probably, of my opposition to 714 where you want to take people and put them down in the middle of a farm, and that essentially is what we're doing here. Be the same as if I came to town and walked across people's lawns and hither and yon without regard for the fact that they're mowing their lawn. I don't know who's negligent or not if you ran over my foot while you were mowing your lawn in the middle of town. But the way I see it, it may be a little different than what Senator Wickersham's getting at, but if I'm combining, let's say, and I'm out in the middle of my section and here goes...here's this trail, which I'm adamantly opposed to, I turn...I'm quietly doing my work, concentrating on the rows, trying to knock down corn, I come to the turn row because the trail's going by and there are several hikers or bikers or whatever. I turn my combine around, start going the other way, and a cob flies out of the end of the combine and strikes one of these hikers and maybe it hits an eye. Now, from my point of view, I'm doing my job with ordinary due and diligence. I'm not doing anything out of the ordinary for a farming operation. But the hiker coming along there, which we see quite frequently in many cases, people not aware of the damaging effects of farm operation, of machinery, probably blissfully walked into that cloud of dust and the flying corn cobs and so forth and then will claim negligence, probably, on the part of the farmer because they weren't watching. Now that's the kind of issue I'm concerned with and that's what I see Senator Wickersham's amendment facing. Now, am I, in your opinion, am I being far-fetched in what could happen here? And that's the reason that I would support this amendment, because I would call that an ordinary farming operation. People are out there where, in my opinion, they have no business being but the way things are going they're going to be there, and so I support this amendment for these kind of reasons. It seems to me that if you're doing your ordinary care in farming your operation where you have every right to be not only on your land but in an area zoned for agriculture, if you can't carry on these kind of operations with