

causes harm to somebody, like if you're a common carrier, then you have to pay. That's not what you were talking about so it's not a strict liability situation. There have been laws passed in Nebraska and other states called "shoot your neighbor" laws. The Legislature has authorized by law certain aggressive acts to be taken against people who come on your property supposedly to do harm, but the laws were so loosely drawn, were so contrary to every principle of self-defense and good judgment, that they were held by courts to be unconstitutional. So the mere fact that the Legislature would put something in the law that says one person can fail to exercise ordinary caution and harm somebody else and not be liable does not mean that the court is going to be as nutty as the Legislature and uphold it. All we're really doing is putting people in a position to have a false sense of security. They will think that they can be as careless as they want to be as long as it doesn't reach the point of saying, I intentionally did this, and be protected. That is not what will happen. And some of these people out in the farm areas may get wind of what Senator Wickersham's amendment does, feel that they don't have to be careful, conduct themselves in a negligent way under an ordinary negligence standard, be sued, and they will use Senator Wickersham's amendment as a defense and the court will say that is an unreasonable law by the Legislature; it violates the principle of equal protection; it is unconstitutional; you have no defense; you have to pay. And they can thank Senator Wickersham for it because if it had not been for his amendment to mislead them into being careless they would not have been so. This Legislature collectively can do whatever it pleases to do, but that does not mean that what it does will be upheld by the courts. We're grappling with the tax problems, how property should be viewed in terms of the legislation we enact, because the Legislature has passed laws which the courts have struck down. That should let you know that courts are not going to accept anything and everything that a Legislature enacts. Why would we want to encourage people in the rural areas in agricultural pursuits, when agriculture is the most dangerous occupation in this country anyway, to be even less...

PRESIDENT MOUL: One minute.

SENATOR CHAMBERS: ..concerned about safety than they are now? How is that a worthwhile social goal? I don't understand that at all. I'm opposed to the reconsideration motion. Without Senator Wickersham's amendment, you are not depriving anybody