

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

May 18, 1999

LB 176, 701

100 percent of the cost in the installation of the fence, and the owner will thereafter maintain that. The type of fence required is under 74-601, which traditionally has been...I think it was once described as horse-high, bull-strong, and hog-tight...is not required of this trail fencing along the highway. It does require a four-high fence, 12 and a half gauge, the post to be not more than one rod, 16 and a half feet, apart, and to be secured...or any other type of fence that is agreed to between the commission and the adjoining landowner. Now, the responsibility of the commission for division fences...god, I love this machine...not. The amount of fencing required by the commission will be regulated by the amount of money appropriated for that purpose. And I think in this last budget, in the Game and Parks budget, only about \$50,000 has been appropriated. And on that basis, it'll take about 50,000 years for this to be done. But this is the deal that was struck. This was, incidentally, LB 701. And what we have here is the compromise set forth by the Natural Resources Committee, and I ask for the adoption of LB...pardon me...of AM1293. If anyone has any questions, I'll be happy to answer them.

**SPEAKER KRISTENSEN:** You've heard the opening. Debate on the amendment? Senator Schrock.

**SENATOR SCHROCK:** Mr. Speaker, members of the Legislature, I thank Senator Tyson for bringing this issue to us. It does have some controversy in that it deals with the Cowboy Trail, and not everybody in northern Nebraska likes the Cowboy Trail. But when we looked at the requirement for fencing on the Cowboy Trail, certainly I found the requirements to be quite archaic. And I don't remember the exact requirements, but it has to be a railroad type fence. Under law, that is the type of fence they have to build on the Cowboy Trail. It's a woven wire fence with several strands. It's not the type of fence that any one of us in here who is in the livestock business, who pastures cattle, would build for our cattle. It's very expensive to maintain, and it's very expensive to build. This removes that requirement, and then makes Game and Parks responsible for building all of the fences along the trail. And it's the type of fence that we would call a legal fence, not a railroad type fence. It's the type of fence that if I had pasture next to Senator Jones and I was going to build it or have someone build