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suspend the rules. Folks, the issue here is quite a lot larger than what sort of a fence and whether it's 12 and a half gauge and whether the posts are 16 and a half feet apart. At the time when the rails and trails issue first came was the Missouri Pacific Trail. And one of the great concerns that existed at that time was a protection of the adjoining landowners from trespass. Remember that the railroad property was private property, and that hikers and bikers and horseback riders and all of those recreational intent people were not welcome on railroad property. The attorneys in the body can look this up should they like, but in our trespass laws there are only three types of legal defense to protect a landowner against intentional or unintentional trespass, and they are this. Number one, you have had to have told the trespasser personally to stay off your property. Number two, that property...your boundary must be posted with no trespassing signs in such a manner that no one can cross into your property without seeing one of the signs. And the third mechanism...and this is the one you see around particularly transformer web sites...or, transformer electrical sites and other storage facilities...is a fence specifically to...designed to exclude human entry. Now, the reason this is an important issue is that case law is full of instances where landowners were held liable for injuries to trespassers for a variety of reasons, whether that was a pond that was an attractive nuisance, whether that was these cute little animals in the field, whether it were toys in the backyard, whatever that enticement or the perceived enticement was, in the absence of the three clearly delineated reasons to be able to have a charge of trespass hold up in a court of law. So it was found at the time of the Missouri Pacific Trail issue, which was the first rail to trail issue, that the most readily available mechanism to provide the adjoining landowner who had had no problem up until the time that a railroad was converted to a rail trail, to protect them from the potential of personal liability from trespass. And the railroad fence, which is a higher grade of fence than a legal fence...and what Senator Tyson, by the way, describes in here is in fact the legal...a legal...

SPEAKER KRISTENSEN: One minute.

SENATOR COORDSEN: ...fence in Nebraska, in the absence of any