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FLOOR DEBATE

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let me start out by indicating I feel torn on this issue. On the one hand, I'm a person who grew up hunting and fishing, lost some interest in it in middle years; in later years I've done a little bit of hunting, went out hunting earlier this year. Great exercise. Should be encouraging more and more people to get out there and be walking the fields, considering our overall national health condition at this particular point in time. So I love hunting, I love fishing. Never tried trapping. I think it is a valued part of our heritage, and I think it is a right that should be preserved, subject, just as the amendment says, to reasonable restrictions as prescribed by law. On the other hand, I've been trained as a lawyer, and most of us, I think, have been sensitized to the importance of not putting into the constitution every little aspect of our life. The details of our lives are the subject of what we do here in the Legislature, and may change from time to time, depending on the values of our society. But when we put this kind of language into a constitution, then it does a number of things. One of the things that it does, for example, it will give lawyers the opportunity to litigate every law that Game and Parks makes about fishing, hunting, and trapping, every one of them. The lawyer can rise...can raise the issue that it is not a reasonable restriction. And so here in this society where we've been complaining about the litigiousness of our citizens, we encourage it by doing things like this. And what if you get a court decision you don't like on one little minor aspect of Game and Parks law, for example? Well, if the Supreme Court says it's unreasonable, you're going to have to change the constitution of Nebraska to determine if type-X trap is reasonable or unreasonable. And of course, we don't have any idea, we don't have any court history at this point of what reasonable and unreasonable may mean in the context of game and fishing, because we've never had this area of law. And so we will have to go through a long process by litigation, case by case, defining what's reasonable and what's unreasonable. And when we get a result that we don't like, then we have to change the constitution. And I know that many of you who have signed on to this bill are also people who happen to believe that corporate farming shouldn't be in the constitution. And you believe it because of the illustrated reasons that are similar to what I'm describing to you. Because it deals with a vast