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FLOOR DEBATE

April 13, 2005 LB 673

well-crafted this bill is. But it really is not. It hasn't taken into consideration the reality about how these animals move. These prairie dogs do not honor artificially drawn boundaries. Maybe Senator Louden has had the surveyor come in and lay out a perfectly square piece of land that constitutes his property. Mine abuts his property. There are prairie dogs on his land; there are prairie dogs on my land. I like the critters, and I'm going to let them stay there, and won't let anybody come on my land to harm them. Senator Louden does not like them on his land. He is going to allege that the prairie dogs are leaving my land and coming onto his land. So the county goes out to try to settle this dispute. And I'm not going to go into how difficult that's going to be, or how unlikely it is that that can be done. But assume, so that I can go on with my example, that a determination is made that prairie dogs are leaving my land and going to Senator Louden's land. They tell me, put in place a plan to manage these prairie dogs on your land, so they don't go onto Senator Louden's land. And that's when I tell them that every one of my prairie dogs is trained to respect other people's property, and they will not leave my land and go onto Senator Louden's property. And I defy Senator Louden to tell you that he has seen one of my prairie dogs come onto his land and take up residency there. But let's say somehow the county establishes that they did. What is the plan that I'm to put into effect? Am I supposed to do something that would stop any more from going to his land? Or am I supposed to do something to correct the condition created by those on his land already? That's not even considered in this bill. Trying to keep prairie dogs on one piece of land when it abuts another piece of land which is prairie dog-friendly would be like saying you have underground water reserves, and I can somehow keep the water under my land there, and it will not cross that imaginary boundary line between my property and somebody else's. Unless there is something that extends through the earth from the surface of my land to the core of the earth, there is no way we can say with certitude that the prairie dogs on my land will not go on Senator Louden's land. He says, well, build a fence, or whatever it is, from one edge of your property to the other edge. Well, suppose Senator Louden's property is wider than mine. So even though I take my fence to the edge...both edges of my property, there is still some of Senator