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FLOOR DEBATE

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LB 673

of circumstances where Chambers has been found to be responsible for the prairie dogs on Louden's land. But there are prairie dogs on Louden's land from Chambers' land. Chambers can be made to do something about the prairie dogs on Louden's land, under this bill. Isn't that true?

SENATOR LOUDEN: I don't think so. I think you have to take care of them on your land so they don't encroach. But like I say, they're wild animals and already over there, and I don't know who...how you can claim them or anything. So I think when you already have had them encroach on your property, the way the system usually works, is they ask you to do something to stop the encroachment from your property.

SENATOR CHAMBERS: So let's say this fence that you had mentioned, I just string a fence between your property and my property. You still have prairie dogs on your property. Isn't that true?

SENATOR LOUDEN: Until I decide whether I want to eradicate them or what I want to do with them, yeah, I suppose there would be.

SENATOR CHAMBERS: Well, suppose you poison all those on your property, and without going into the issues that Senator Howard raised because I share her concerns, but just so I can get to the question I want to ask you. You poison or you vacuum out or some methodology is used where you get rid of all of the prairie dogs on your land, and it's shown that your land is clear of prairie dogs. Then a month down the road prairie dogs begin to show up on your land again. And let's say it can be established that those dogs have come from my land. Can I then be made responsible for eliminating those prairie dogs from your land that have been shown to have come there from my land? Or do you still have the responsibility for those that have come onto your land from my land?

SENATOR LOUDEN: Well, the way the bill is written, and you're responsible to keep them from encroaching, so you have to do something to control them to keep them off. But, like I say, when they're wild animals like that, I don't know how...they're not branded unless you're branding them or something.