

January 17, 1992 LB 191

eliminated from Section 6, page 3 and specification of prescribed conduct harassing the hunters and the phrase "physically impedes" inserted as being perhaps a little more definite. And those were the three minor changes in the amendment and I would move for their adoption.

PRESIDENT MOUL: Thank you, Senator Chizek. Senator Landis. Does anyone wish to address the committee amendments? Seeing none, we will now vote on the committee amendments. All those in favor please vote aye, opposed nay. Have you all voted on the committee amendments? Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Madam President, on adoption of the committee amendments.

PRESIDENT MOUL: The committee amendments are adopted. Senator Chizek, would you like to open on the bill itself?

SENATOR CHIZEK: Madam President and colleagues, the bill establishes the parameters to ensure that a lawful activity in this case, fishing and hunting, can be pursued in Nebraska free of disruption. You can still take with you into the field reasonable expectations that the security of property in the field is respected in statute and that you're free to be let alone in peace and protection of the law. That's the essence and the spirit of the bill, that then you are hunting and fishing lawfully and that the same security to not be obstructed with as if you were strolling down the street. To ratify that expectation the bill sets out in Section 3 activities that constitute an obstruction with fishing and hunting. It straightforwardly covers destruction of property, driving away game, interjection of a line of fire pursuit. These are parameters to prohibit conduct and I'll note that they are very carefully drawn, that under the definitions in the bill up front they are related to lawful fishing and hunting and otherwise limited to actions rather than speech and actions that in fact may not be unequivocally covered by existing statute. Much of the remaining sections of the bill would rest in mechanics of enforcement and prosecution. The bill is a Class III misdemeanor, the most common penalty in a game law for fishing and hunting offenses. Enforcement and prosecution would be in accordance with the game laws. That means enforcement is the responsibility of the same personnel now charged with enforcement of the game laws, game wardens, peace officers. Prosecution would be brought in the county court having