

for the adoption of the amendment.

**SPEAKER BAACK:** Any discussion on the amendment offered by Senator Beutler? Seeing none, we will vote on the amendment. All those in favor vote aye, opposed vote no. Have you all voted? Record, Mr. Clerk.

**CLERK:** 25 ayes, 0 nays, Mr. President, on adoption of Senator Beutler's amendment.

**SPEAKER BAACK:** The amendment is adopted. The next item.

**CLERK:** Mr. President, Senator Coordsen would move to amend the bill. I'm sorry, Senator Wickersham, excuse me.

**SPEAKER BAACK:** Senator Wickersham.

**CLERK:** Senator, AM1726. (See Journal page 2049.)

**SENATOR WICKERSHAM:** Thank you, Mr. Speaker. This amendment is offered due to a concern of mine when a trail runs between tracts or adjoins a tract of property where agricultural operations are taking place. When it was being used as a railroad, I think you can well imagine that the farmer or the rancher would have been more than well aware when the right-of-way was being used by a train. I have a concern that they will not have as much knowledge or be able to detect people using a trail going through the properties or adjoining the properties. And there is occasionally a farming operation that could place persons within the trail at risk, specifically center pivot irrigation so they can come around, the end guns. For example, if you were out in your tent in the middle of the night and the center pivot came around and deluged you, I think you would not be very happy about that. In addition, there are circumstances where crop sprayers and others may be operating in the area, be unable to detect people who are using the trail due to the cover or other conditions. The amendment is simply designed to shift the obligation concerning those... the welfare of those persons using the trail from the adjoining agricultural operator to the persons who are using the trail. I think that otherwise it would be incumbent upon the agricultural operator to make some inspection of the trail area, maybe, in effect, flush it out before conducting one or more of their operations. And I think that if people are going to utilize a trail that they should have some obligation to look out for their own well