

SENATOR BEUTLER: Okay. And so if you're not talking about railroad property, which in this amendment talks about property other than railroad property, I'm not sure why the railroad law would be applicable at all. And I guess I would question further what the law is with regard to, say, county roads or other public property that passes by your land. Am I correct in saying, and I may not be correct so I would ask you again, Senator Coordsen, with regard to county roads, there is no obligation on the part of the county to contribute to the construction of a fence, is there, none whatsoever?

SENATOR COORDSEN: Not that I'm aware of.

SENATOR BEUTLER: Okay. So even though these are probably likely going to be public entities owning the trails, and even though there's nothing dangerous happening on the trails, and even though some of them won't even be abandoned railroad lines, you still want to apply the standard to them that they should build the whole fence which...

SENATOR COORDSEN: For several reasons...

SENATOR BEUTLER: ..rhetorical question.

SENATOR COORDSEN: ..which I'll cover on my own time.

SENATOR BEUTLER: Alright. So that's the first problem with this particular amendment and keep in mind that the trails,...

PRESIDENT MOUL: One minute.

SENATOR BEUTLER: ..the ownership of the trail would have the obligation of a private owner. They would have to build half the fence just as any private owner would. Now another thing that technically makes this amendment very, very difficult, in fact impossible, is that it says that the building of the fence may not be waived by both parties on either side of the fence unless all the property owners along the trail agree. In other words, the trail people are going to be forced to build a fence. Even though the adjoining landowner doesn't want a fence, unless they can get consent from every landowner along the trail in writing, every landowner along the trail has to waive in writing...

PRESIDENT MOUL: Time.