

ASSISTANT CLERK: 26 ayes, 0 nays on the adoption of the Beutler amendment to the Coordsen amendment.

PRESIDENT MOUL: Amendment is adopted. Now we will go back to debate on the Coordsen amendment. Is there anyone else who wishes to speak on the bill...or the amendment. Recognize Senator Coordsen for closing.

SENATOR COORDSEN: Thank you, Madam President, members of the body. To refresh your memory just a little bit on the intent of this, the intent of this is to prevent an extraordinary expense being forced upon adjoining property owners when railroads, abandoned railroad right-of-ways are converted to hiking, biking trails for recreational purposes. It would require and it also would address the problem of the ability of the adjoining property owner to move across that trail for the purposes of operating their farm or looking after their livestock or whatever purpose. The railroad laws require...provide for the fences, for gates, and for access between adjoining pieces of property. By the way, they don't provide that the adjoining property owner would have any more ability to travel up and down that particular hiking or biking trail than any other member of the public, only to cross in...where his property or her property is split by it. It provides that fences are not mandatory but a matter of agreement between the trail owner and the adjoining property owner, and it provides that those fences, where they exist, shall be considered sufficient to be used for charging people who deviate from the trail intentionally for trespass, that that fence, whatever fence is agreed to by the adjoining property owner, shall be deemed to be manifestly designed to exclude intruders. So, with that, I would encourage the adoption of this amendment and it, by the way, only applies to abandoned...when trails are developed along abandoned railroad right-of-ways. Thank you, Madam President.

PRESIDENT MOUL: Thank you, Senator Coordsen. We will now vote on the Coordsen amendment. All those in favor please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Madam President, on the adoption of Senator Coordsen's amendment.

PRESIDENT MOUL: The amendment is adopted. Is there anything further on the bill?