

February 7, 1996 LB 584

answered, and if so, I apologize. But I need to clarify a couple things in my mind if you...

SENATOR CROSBY: Senator Coordsen, will you yield?

SENATOR COOGLSEN: Yes.

SENATOR BROMM: Senator Coordsen, your amendment would strike this section and leave us with the law being that...law being exactly what? That the new fence would be constructed 50-50 and maintenance would be 50-50? Or would there be a fence...would there be an obligation to put a fence in there to begin with of any kind?

SENATOR COORDSEN: Senator Bromm, in the original trails legislation of some years back there was a provision that the railroad fence law would continue, which is 100-100, 100 percent of the construction costs, 100 percent of the upkeep.

SENATOR BROMM: So that would be the obligation...

SENATOR COORDSEN: Of, in this particular bill, would be the Game and Parks Commission.

SENATOR BROMM: And so if the Game and Parks Commission didn't do it, it would be like it has been in many places with the railroad...the landowner would, if he couldn't put enough pressure on the Game and Parks, would then have to do it if he wants to have livestock in there, correct?

SENATOR COORDSEN: That's right.

SENATOR BROMM: And...

SENATOR COORDSEN: But there's recourse under railroad law.

SENATOR BROMM: Okay. So, the 50-50 law really wouldn't apply?

SENATOR COORDSEN: We have two separate sets of fencing law, common fence law,...

SENATOR BROMM: Right.

SENATOR COORDSEN: ...which is the 50-50, and railroad fence