

section of the committee amendments. (FA238 found on pages 312-18 of the Legislative Journal.) Senator Beutler.

SENATOR BEUTLER: Madam Chairperson, members of the Legislature, this is the final portion of the committee amendments. It is, with slight variations that Senator Wickersham will explain to you, his LB 258 which deals with abandoned railroad lines and their use as trails. And I think with that I'll just stop and let the senator explain his bill and how what appears before you is slightly different than his original bill and we can go from there.

PRESIDENT ROBAK: Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Senator Beutler and Madam President. The provisions that we're focusing on now, Sections 15, 16, 17, and 18, were basically the provisions of LB 258. Most of LB 258 dealt with how we might acquire additional trails. Part of it deals with what we would do if a trail was to be decommissioned in terms of coming back to being a railroad. And part of 258 dealt with the treatment of adjoining landowners with regard to fences, and actually there'll be an amendment offered a little bit later about some of that, and we'll have more opportunity to discuss it. The central thrust of the first portion of the bill for which there would be no amendments is the provision that deals with the acquisition of trails. That is a process that is set out to be with the consent of the Governor and the consent of the Game and Parks Commission. We have at one time in this state acquired a trail based on a bill that was introduced in the Legislature. I guess that is still possible. However, I believe that is not the preferable way for us to acquire trails. I think we ought to acquire trails in the same manner that we acquire other properties, that's after the evaluation of the agency and with the consent of the Governor, and that's basically what the first portion deals with. And it sets out some standards for how we would hold the right-of-way. You'll find those on page 21. And it also sets a requirement that you'll see on page 21 that we would acquire the right-of-way only if we're reasonably protected in a manner satisfactory to the commission for the cost of remedial action and environmental clean-up. There was a major concern on my part at least that for some of these abandoned rights-of-way that we might have chemical spills, we might have fuel spills, we might have other environmental