

to continue to maintain this fence when they did not have to under the railroad law, when the railroad owned it. In many cases I recognize the fact that they did not want this trail there in the first place. It seems to be literally throwing dirt in their face now to say not only do you have to have the trail continue there...

SENATOR CROSBY: One minute.

SENATOR WEHRBEIN: ...but you're going to have to maintain the fence, too. So I will be supporting Senator Coordsen's return.

SENATOR CROSBY: Thank you, Senator Wehrbein. Our next speaker is Senator Vrtiska, followed by Senators Beutler, Klein, Coordsen, Bromm, Wickersham and Jones. Senator Vrtiska.

SENATOR VRTISKA: Thank you, Senator Crosby. I rise in support of Senator Coordsen's recall for basically the same reason that Senator Wehrbein has just alluded to. There's been some discussion about the poor condition of the fences. And I guess I can tell you from my own experience I have a railroad that runs through some of my property. And I know the railroad did, in some cases, let those fences run down. But I can tell you right now if you turn 100 head of cattle out in a field of stalks and there's no fence and you call the railroad, they'll be out there pronto and fix that fence because they don't want to pay for the cost of all those livestock. Now I don't know what it is out in the range country, but we've had brand new fences built along our property where there was going to be livestock involved because they understand what the expense is. But going back to the issue at hand, I agree with Senator Wehrbein that many of these people were not...regardless of whether we believe in trails or not, and I have no objection to it. But whether we believe in them or not, some of these landowners were obviously very put out when the parcel of land that split through their property was left, when they thought they were going to get it back and their farm whole again. And now to come to them and say you're going to have to either pay for half of this fence, which I think is absolutely the most undesirable that you could ever expect, or even to maintain those fences after they were built because there's no assurance of how well they'll be built and how much maintenance it's going to take. So I think given all the circumstances involved in the setting up of trails across this country, the people who were