

PROPOSED AMENDMENTS TO SENATE BILL NO. 2358

Page 1, line 4, replace "and" with "to provide for a legislative council study;" and after "application" insert "; and to provide an expiration date"

Page 1, line 11, after the second "a" insert "nonrailroad"

Page 1, line 18, after "the" insert "nonrailroad"

Page 2, line 4, after "damage" insert "other than property damage subject to Public Law No. 104-88 [109 Stat. 847; 49 U.S.C. 11706]"

Page 2, after line 9, insert:

"3. Notwithstanding any other provision of law, a railroad may require indemnification of and is not liable for any loss, liability, or damage to any purchaser, lessee, licensee, or other contracting party, their employees, agents, or invitees."

Page 2, line 13, after "~~whatsoever~~" insert "with"

Page 2, line 24, remove "lease"

Page 2, line 25, replace "right-of-way leases for any purpose" with "proposed agreements"

Page 2, line 26, replace "lessees" with "a nonrailroad purchaser, lessee, or other user for any purpose, of a right of way"

Page 2, line 27, after "any" insert "term of a proposed right-of-way purchase agreement, crossing agreement,"

Page 2, line 28, remove "right-of-way", replace the first "term" with an underscored comma, and replace "term is" with "agreement, or other agreement for use of right of way, including the purchase price, fee, or rent to be paid are"

Page 2, line 29, after the first "the" insert "nonrailroad purchaser," and after the underscored comma insert "or other users, or do not equate to fair market value in the vicinity,"

Page 2, line 30, replace "lease" with "agreement" and replace "modified to the extent necessary" with "prescribe modifications to that term so as"

Page 3, after line 9, insert:

**"SECTION 4. LEGISLATIVE COUNCIL STUDY - ABANDONED AND SURPLUS RAILROAD RIGHTS OF WAY.** The legislative council shall consider studying, during the 2003-04 interim, the sale and lease of abandoned and surplus railroad rights of way. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Page 3, after line 13, insert:

**"SECTION 6. EXPIRATION DATE.** This Act is effective through July 31, 2005, and after that date is ineffective."

Renumber accordingly