

1.1 moves to amend H.F. No. 2229 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. [473.4052] RIGHTS-OF-WAY USE; CONTRACTS.

1.4 (a) The council or a metropolitan county, or public entity contracting with the council
1.5 or county, may contract with a railroad that is a Class I, Class II, or Class III railroad under
1.6 federal law for the joint or shared use of right-of-way for light rail transit and freight rail
1.7 purposes or for the construction, operation, or maintenance of rail track, facilities, or services
1.8 for light rail transit and freight rail purposes.

1.9 (b) Notwithstanding any law to the contrary, a contract under paragraph (a) may also
1.10 provide for the allocation of financial responsibility, indemnification, and the procurement
1.11 of insurance for the parties for all types of claims or damages.

1.12 (c) Notwithstanding any law to the contrary, a Class I, Class II, or Class III railroad
1.13 operating pursuant to a contract under this section has the same limits to liability for all
1.14 types of claims or damages as provided to a municipality under sections 466.04 and 466.06,
1.15 in an action arising from or related to an incident (1) occurring within the joint or shared
1.16 use of right-of-way, and (2) involving both freight rail and light rail transit.

1.17 (d) A contract entered into under this section does not affect rights of employees under
1.18 the federal Employers' Liability Act (1908) (Railroads), Statutes at Large, volume 35, chapter
1.19 149, or the federal Railway Labor Act, Statutes at Large, volume 44, chapter 347.

1.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
1.21 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and
1.22 Washington."