



111286

CHAMBER ACTION

Senate

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House

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1 Senator Dockery moved the following **amendment**:

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3 **Senate Amendment (with directory and title amendments)**

4 Delete line(s) 3216-3295

5 and insert:

6 (a) Assume the obligation by contract to forever protect,
7 defend, indemnify, and hold harmless the freight rail operator,
8 or its successors, from whom the department has acquired a real
9 property interest in the rail corridor, and the freight rail
10 operator's officers, agents, and employees, from and against any
11 liability, cost, or expense, including, but not limited to,
12 commuter rail passengers, rail corridor invitees, or trespassers
13 in the rail corridor, to the extent the loss, damage,
14 destruction, injury, or death giving rise to such liability,
15 cost, or expense is caused by the fault, failure, negligence,
16 misconduct, nonfeasance, or misfeasance of the department, its
17 successors, or its agents and employees, if such contractual duty



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18 to protect, defend, indemnify, and hold harmless such freight
 19 rail operator expressly includes a specific cap on the amount of
 20 the contractual duty,

21
 22 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

23 And the directory clause is amended as follows:

24 Delete line(s) 3187-3189

25 and insert:

26 Section 67. Present subsection (17) of section 341.302,
 27 Florida Statutes, is redesignated as subsection (20) and new
 28 subsections (17), (18), and (19) are added to that section, to
 29 read:

30
 31 ===== T I T L E A M E N D M E N T =====

32 And the title is amended as follows:

33 Delete line(s) 285-289

34 and insert:

35 requiring a written agreement with the labor unions;
 36 authorizing the department to contract for certain
 37 liabilities on a rail corridor and to indemnify and hold
 38 harmless a railroad company when the department acquires a
 39 rail corridor from the company; providing a specific cap
 40 on the amount