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FLOOR DEBATE

February 12, 2002 LB 185

SENATOR D. PEDERSON: Mr. Speaker, members of the body, excuse me just a moment. I need to get prepared for this bill. This was a gift that was given to me by the Union Pacific and, quite candidly, now I don't think it was given to me with the intention of protecting myself. I...so, anyway, let's proceed. This is a bill that involves the railroad. And I'd like to say, first, I would think it would be wiser for all of us, every senator, to remain on this side of the glass and forget that the lobbyists for both the railroad and the unions are there. Let's simply listen to the facts and make our own decisions right here within the body. I think people have been furnished with a great deal of information. I think some of it you need to put into context. So, anyway, I'd like to tell you some of the things that I know that have been considered. Number one, LB 185 is a collective bargaining issue and the crew size is a labor issue between the railroads and the unions. Two, that LB 185 prevent our state from moving forward with modern technology. And three, that LB 185 circumvents the labor process and will affect interstate commerce in our state. None of the above are true. I agree that the railroad has worked very hard to streamline and modernize its operation, and that's a vital commerce of our state. I totally support all of the efforts in that respect. LB 185 was introduced only in the context of safety for all railroad workers and the citizens of the state of Nebraska. I haven't been attacked yet so I'll take my hat off now. The federal regulations and collective bargaining act will not be compromised with LB 185. The railroads have already stated that they have two-person crews in Nebraska. I quote from an article in the World-Herald, dated February 11, 2001: John Bromley, spokesman for the Union Pacific, stated trains in the United States always carry two employees, and that he cannot foresee a time when only one worker would be asked to perform the job of two, end of the quote. LB 185 still permits negotiated agreements under the Railroad Labor Act. The only difference is that the state will have an input in determining the safety until the federal government says they can do otherwise; nothing more, nothing less. LB 185 does not interfere in any way with low speed trains. LB 185 only includes the permissive language the Seventh Circuit Court of Appeals upheld in the state of