

crossings fixed, and I can't...and I go along with Senator Cullan's bill shifting the responsibility from the local subdivisions of government. That's fine and that's step one in the right direction. The wrong step with Senator Cullan's bill is shifting that responsibility totally to the state. That responsibility should be shifted to the railroads. They should be taking an additional piece of the railroad safety action, and so I would strongly urge you to reconsider this motion.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Thank you, Mr. President, and members of the Legislature, we've debated this point over and over again. It's an important point, but I think we can reach a conclusion rather quickly on this. I've taken both sides on this position. I first introduced a motion that would do exactly what Senator Dworak wanted to do and still wants to do with his motion to reconsider. Then I decided after looking into the facts of the situation that we had the money available through state and federal resources, and that the problem was really with the railroads and their inability to have the financial resources to enter into contracts, and these are three-party contracts to improve crossings, and so I switched and I decided that it would be not in the best interests of the State of Nebraska to increase the load on the railroads, because they didn't have the financial resources, whereas the federal and the state dollars were there. Well, and then I talked to Senator Cullan on the floor and asked him some questions and found that, yes, the state could force compliance and cooperation on the part of the railroads and that they would have to provide the money and improve railroad crossings that were deemed unsafe, and now I have a question for Senator Cullan.

PRESIDENT: Senator Cullan, will you respond?

SENATOR CULLAN: Yes, Senator Wesely.

SENATOR WESELY: Senator Cullan, when I asked you before about the question of whether or not the state could force compliance on the part of the railroads, your response was yes. Am I correct?

SENATOR CULLAN: That's correct, Senator Wesely.

SENATOR WESELY: Have you found further information though?

SENATOR CULLAN: Yes, Senator Wesely, I made a mistake with