

a railroad crossing could not be constitutionally accomplished with ordering the railroads to finance it. So let's move to the next step. My amendment that I am going to offer would say, look the roads department, the local community, build the doggone thing, they just build it. Now why do that? Because we've got a couple million dollars in that fund that has been accumulating over the years that we're not using, because you have to reach agreement between the parties. Now, C&NW, God bless their soul, simply is not in a position, apparently according to them, to sit and start building railroad crossings and paying, and so what do they do? Well, they make sure that agreement isn't reached. A request here, a redo there, a redo here, and so on and so forth. And so, where we need the railroad crossings the most we aren't getting them, and so we kill a couple up in my territory and Senator Hasebroock's territory every year. We drive over, a couple cars and tracks and tractors, and we go on. We never get the crossings built, and what's the big hangup? The big hangup is trying to force the railroads to pay ten percent. Well now the feds some time ago found out it wasn't working. They eliminated it. They said, look the railroads... these crossings aren't built for the railroads, they're built for the protection of the public, so let the state and the feds pay for it. The amendment I'm going to propose removes the railroads completely from the system of building these, and it says we've got a couple million dollars there, let's build these, and then it says the locals would put up five percent, which is a cut. It's a major cut. It's half as much as they have to put up now, and the state put up the rest. And you say, well you're letting the railroads off the hook. You're letting those son of a guns off the hook. They aren't on the hook now is the point. They aren't on the hook now, and we're not getting them built because we think they are. So, Sam let's not pass a cosmetic bill. Let's pass a bill that's, between now and the time we get back here next year going to have a dozen or fifteen or twenty of these crossings built. Okay, next major factor in this whole thing...the railroads under our law are supposedly obligated to maintain these. The maintenance cost is about five percent of the original cost per year. Theoretically, the state is to reimburse them for half of that cost. Thus far the state has not given them one cent...not one cent. So, let's leave the maintenance with the railroads once we get them up, but for God's sake let's get some of these crossings built. Now, for you people up in northeast Nebraska where the C&NW goes through, we're going to be having heavier traffic. We're going to be having more accidents and we're