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is necessary. I think it is the only way we can get the crossings built, and have the railroads involved deeply in financing it. It's the only way....about five percent a year of the total cost to maintain them, and they have to front the whole thing this way, and they're locked in for the life of that crossing, the life of that railroad.

PRESIDENT: The Chair recognizes...Senator Wesely, do you wish to speak to the amendment to the amendment?

SENATOR WESELY: Yes, I would.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Thank you, Mr. President. I'd like to ask Senator Cullan a couple of questions, if that's alright, Senator Cullan?

PRESIDENT: Senator Cullan, will you respond?

SENATOR CULLAN: Yes.

SENATOR WESELY: My first question of Senator Cullan is, at the ten percent level which railroads must finance railroad crossing improvements, has there been a problem with that? As I understand it, from talking to different individuals, there hasn't really been a problem with the ten percent level. Is that right? Or am I wrong?

SENATOR CULLAN: Well, in my area, and I operate with... the two railroads in my area are the Union Pacific and Burlington Northern, which are more financially sound than others. We have not had a problem with the railroads financing their share of it. Our problem has been in local communities coming up with their match.

SENATOR WESELY: And so as the bill was originally introduced, it basically tried to help the local communities who were having the most serious problems that you were able to recognize with not having the finances to participate in these projects. Is that right?

SENATOR CULLAN: That was one of the major purposes, yes.

SENATOR WESELY: And then the other point that you made was that presently railroads are paying for all maintenance costs for crossings. Is that right at this present time?

SENATOR CULLAN: Presently they are, but state law is permissive and does allow the state to pay up to fifty percent.