

and the state in terms of the responsibility for construction of crossings? The way the bill stands presently without the Dworak amendment?

SENATOR CULLAN: The way the bill is currently amended, the state would pay for eighty-seven and one-half percent of the cost of construction devices...or safety devices, the railroads would pay for ten percent as they always have in the State of Nebraska within my knowledge, and the local communities would pay for two and a half percent. The way existing state law is, the state pays for eighty percent, the railroads pay for ten percent, and the local community pays for ten percent.

SENATOR NEWELL: Alright, Senator Cullan, can I ask you if, in fact, the railroads are maintaining this, and if all we need to do is change the statute to say, "shall" maintain, what is the benefit for going with the compromise which allows the railroads to be exempt from the initial construction costs? What is the benefit to the state and the local communities?

SENATOR CULLAN: At the very least, you should adopt my amendment to Senator DeCamp's amendment so that if indeed you decide the railroads should not have the financial liability so far as construction is adopted, then the railroads, so that they do not have the opportunity to use the state participation for maintenance. But I think, Senator Newell, you have to make a decision on your own whether or not you want the railroads to be involved in construction, and I think the advantage as Senator DeCamp indicates is that there would no longer be any agreements necessary as to the financing of the devices, and therefore you could use the state funds without...with a minimum of time consumed. That's Senator DeCamp's argument and I'll support that in exchange for taking away any clause of maintenance, but I don't feel strongly, Senator Newell.

SENATOR NEWELL: Alright, thank you, Senator Cullan. You know, I have to agree with Senator Kahle. Senator Kahle so eloquently said that we don't need the crossings if we don't have the railroads. That's true. That is an absolute truism. I think that we need to require maintenance of these crossings by the railroads, but I don't think we ought to exempt as the Cullan-DeCamp compromise, which basically then lessens the impact of the bill even more. I don't think we ought to buy that compromise, and I don't think we ought to buy that compromise because I think it is the responsibility of the railroads. To a very small