

maintain that track over the next five to ten years?

SENATOR WICKERSHAM: We have not been given an estimate beyond the five year rehabilitation period.

SENATOR BERNARD-STEVENS: Okay, because one of the concerns I have, even with the Union Pacific that we have, that obviously I have a major interest in, not only because the company, itself, is so much a part of Nebraska business and particularly in regards to the number of people it employs, but also I have been made aware over the years of the tremendous amount of investment it takes just to keep rail lines open, particularly when you get out in the central part of the state when we have the drier climate but also the tremendous heat and the possibility and the, in fact, incurrences of sun kinks and what have you causing the derailments are quite high and quite heavy at times, and needing a tremendous amount of investment. And I was curious on that. So we don't know yet what the investment would be or how much it would be, and we assume the operators would pick up that cost. The second question I have is in regards to fires. Okay, assuming that this railroad will be like any other railroad that is run, and there will be fires caused and tremendous damage at times caused by fires, who is liable then for those damages?

SENATOR WICKERSHAM: That would be the responsibility of the operator.

SENATOR BERNARD-STEVENS: Would there be any instances that you can think of, that the state having loaned the money, would be in any way whatsoever held liable for portions of that...of those fires, in other words, that we would have some percent of liability?

SENATOR WICKERSHAM: The structure would be a lease but, no, I really, quite frankly, can't imagine right now any scenario in which the State of Nebraska would become liable on a fire.

SENATOR BERNARD-STEVENS: Okay, then the third question that I had was in regards to the local operator and users, under the bill as it is now, the State of Nebraska gives 5 million out of the cash reserve, three and two, the respective years, how much are the users and the operators, how much do they need to come up with under the bill?

SENATOR WICKERSHAM: Under the bill, they aren't required to