

April 4, 1996

LB 1368

SENATOR CHAMBERS: Now since you have figures to indicate in your mind substantial support for the merger...the other day we gave some figures. You said it's 60/40 or 70/30 in terms of the likelihood of the merger. Do you want to change those projections?

SENATOR BRASHEAR: No. No. In support of my prognostication, I would cite that 21 states have filed in support of the merger and, of course, we're not going to deal with 50 there. We're only going to deal with the ones that are affected by the merger, so that's a very significant percentage. We are talking about nine...1,900 shippers, customers, and state legislatures have filed in support, and 21 different employee unions, or 55 percent of the total unions dealing with Union Pacific are all in support of the merger.

SENATOR CHAMBERS: If 45...if 55 percent file favoring it, does that mean 45 percent are opposed to it?

SENATOR BRASHEAR: Well, it could be like here in the body where you're not voting...

SENATOR CROSBY: One minute.

SENATOR BRASHEAR: ...maybe you just...maybe you just don't vote. It doesn't mean you're opposed, you just don't vote.

SENATOR CHAMBERS: It seems to me that if you have confidence in what you told me and they're not just fluff numbers, because it's easy to get...you can get a pinhead state like Nebraska to give Union Pacific everything it wants. Why are you not more certain that the merger is going to be approved? Do you think that the federal government will base its decision on how many of these states, if you put the numbers down there, say, we want it? Is that what it's going to be based on? Because if that's it, then the merger should be approved for sure. Isn't that correct?

SENATOR BRASHEAR: I think the Surface Transportation Board will base their opinion upon the totality of all the evidence before them, including this support, the facts, the economics, and probably some human politics.

SENATOR CHAMBERS: Is Kansas in favor of this merger, or opposed