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LB 79

SENATOR CUDABACK: Also, we're passing over LB 1248A. We go on to General File, 2006 Speaker priority bills. Mr. Clerk, when you get time, LB 79.

CLERK: LB 79, a bill by Senator Baker. (Read title.) Bill was introduced on January 6 of last year, at that time, referred to the Transportation Committee. Bill was advanced to General File. I do have committee amendments, Mr. President. (AM0186, Legislative Journal page 417, First Session, 2005.)

SENATOR CUDABACK: Senator Baker.

SENATOR BAKER: Thank you, Senator Cudaback and members. LB 79 is a bill that I feel passionately about. It will save lives. There's no question but what if we reduce the number of unguarded crossings in the state with the volume of train traffic we have, we will save lives. And these crossings that we propose to close in LB 79, I'll explain the base bill, it's very simple, would be...it requires any public railroad crossing without gates, signals, alarm bells, or warning personnel that is located within a quarter mile of a gated crossing shall be closed unless it is the only railroad crossing which provides access to property. There are currently 6,237 crossings in Nebraska, 3,734 of these are public crossings, 2,486 are private, and there are 16 pedestrian crossings. This would address those 3,734 public crossings. If you look at the fiscal note, it states that there would be as many as 200 railroad crossings affected if LB 79 is passed. Now there's currently a program in place that collects, it's the Grade Crossing Protection Fund. The money that's put into this fund is generated from the 7.5 cents-per-mile train tax, plus there's an annual tax on crossings, public crossings, of \$100 per crossing, which goes into this Grade Crossing Protection Fund. The fiscal note currently, I think it says here in this fiscal note, is pretty current--I'm not sure, I don't see the date on it--but estimate that there's \$2.4 million in this fund right now. If we were to close 200 crossings, it appears that there's more than enough money to do this. Part of the formula that's used when we close a public crossing in Nebraska is there's \$5,000 dedicated per crossing closing from this fund. The railroads pay in \$5,000 also and then they actually pay the cost to close