

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

April 10, 2006 LB 79

not had that told to me by the railroad. But even if it is, there should be some concessions made, something done, because this is a way that people are able to get to their fields.

SENATOR LOUDEN: Well, see, out at Marsland we had that problem out there for several years, and they finally got one built across there, and the bridge got in bad shape and everything, and it was across the railroad tracks. Now on this bridge, is there a width of it? I mean, can you get wide farm machinery, can you get a combine across the thing, or how is it made?

SENATOR HUDKINS: Like I said, Senator Louden, I have not been out at the site, and so I don't know. I'm assuming that it is a wooden bridge. I need to go out there and look to see what is going on.

SENATOR LOUDEN: Has the county been involved...

SENATOR CUDABACK: One minute.

SENATOR LOUDEN: ...in any working on that bridge, or anything like that?

SENATOR HUDKINS: I don't believe so.

SENATOR LOUDEN: That's what I was wondering, whether...because there is ways that they can be put in, but nonetheless, once it's gone, it's gone. And I think as we pass this legislation, LB 79 here, we have to be very careful, because it actually gives the railroads, then, authority to close it. In order to not close it, then somebody has got to hire professional people to come out and make a decision whether or not it is closed. You just as well put it so you go into district court. It would be the same thing. In fact, you'd probably get more satisfaction if you had to go into district court to keep a crossing open, rather than having one professional engineer from some place, because then you leave it all up to the decision of one person to decide whether or not the crossing is being left open or closed. If it cuts an area in two, then that's exactly what it does, because as I stated before,...