

CLERK: Senator Withem would...Senator Withem's amendment is found on page 2322 of the Journal.

SENATOR CROSBY: Senator Withem.

SPEAKER WITHEM: Yes, this is another one of those bills that got caught back on Select File when time ran out on it. LB 265 is a bill started out as a continuation of the Technology Commission. Senator Kristensen offered an amendment on Select File adding a commission to study railway crossings. I supported that and continue to support that. I did find, however, that the make-up of this commission did, in fact, inspire a little bit of controversy, not major controversy, but a little bit of controversy, which included, because there was no member of the Public Service Commission on, I had proposed to you last time that this was on the agenda that it be returned to Select File to add a member of the Public Service Commission. My rationale on that is I think that is a perspective that would add to the work of the railway safety...rail crossing safety committee, and, secondly, adding that member would remove whatever controversy might exist relative to this bill. Senator Kristensen argued that he did not see a need for this additional perspective. That was the policy choice that we were in the midst of making. The membership did return the bill to Select File, which I think is a signal that they are willing to make this addition, and so I would appreciate you doing that. The amendment is to add a member of the Public Service Commission to the Nebraska Highway-Rail Crossing Safety Committee that is created by this act.

SENATOR CROSBY: Thank you, Senator Withem. Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam President, members of the Legislature. Obviously, now is the time to spend more of our efforts on larger issues and ones that have major substance and, in terms of Senator Withem's bill, the underlying bill is good public policy, and the amendment that I attached is good public policy. The issue of whether someone on the Public Service Commission should serve on that, I think this body answered that last week for me. Obviously, there were sufficient members of the Legislature that felt that that is a necessary addition to that. Thus, this morning I am going to support Senator Withem in getting his bill in the form that he wants. He was kind enough to allow the railroad study to be attached to that. I, at this point in time, will go ahead. I think the body has made