

SENATOR WESELY: Senator Cullan, my question is, the process by which we go about deciding to improve a railroad crossing is such that all three parties involved, the local community, the state and the railroad have to agree to the project and the funding and the cost involved, is that right, all three parties?

SENATOR CULLAN: That is correct. This bill changes that. Currently each of those three parties must come to an agreement and when you try and find out, and I had some problems in my own legislative district trying to find out what was going on, but you go to the railroads and they say, well, the local funds aren't there. And you go to the Department of Roads and they say, well, the railroads haven't provided us the equipment yet. You go to the local community and they say, we don't know what is going on. The problem has been when you get these three parties separate from another trying to make a decision jointly you get a lot of stalling and you get things moving slowly and that is my concern. And so what this bill does now, it says the Department of Roads makes the decision. They take a priority list. They look at the railroad crossings in the State of Nebraska where railroads and crossings intersect and they decide where things should go, what is the highest priority and then they go about using these funds to develop that. But if this bill is passed, you can pinpoint that responsibility instead of playing a shell game as to what is really going on and why something isn't actually happening.

SENATOR WESELY: So if the state decides that a certain crossing needs to be repaired, they say this is going to happen. This railroad that is at this crossing, you pay 17.5%, if the Dworak amendment is approved, and this community where this crossing is located, you pay 2.5% and we are going to take care of the 80%. We are going to get this job done. Is that what would happen?

SENATOR CULLAN: That is exactly correct.

SENATOR WESELY: They can force the railroad to comply?

SENATOR CULLAN: That is correct.

SENATOR WESELY: Under those circumstances, I now change my position. I was under the impression because of the past conversations that it took all three parties to decide to improve a railroad crossing. I think the Dworak amendment is a positive amendment. I think that it is not going to hold up some of the crossing repairs and improvements