

March 27, 1979

LB 42

PRESIDENT: Alright, I shall recognize you with that in mind. Senator Keyes...while we're doing this, Senator Keyes, do you wish to speak to this, alright...Senator, alright.

SENATOR NEWELL: Just briefly, you know, I agreed with the Cullan amendment which mandates maintenance, and I think that's good. Now one of the problems with Senator DeCamp's arguments, and although they are extremely articulate, is that by the state just building these railroad crossings, just making this decision and paying for it solely by themselves, that we local governments, the state government, you know, mandate this maintenance. Now I think that has about the same problems that Senator DeCamp says that they have in trying to get the railroads to come up with their ten percent share, or seventeen percent share of the maintenance cost, and for that reason I'm opposed to this proposal. I think the bill was well written originally. I think we ought to maintain that. I think the Cullan amendment is a very beneficial one, and I would hope that the body would vote against this amendment. The railroads ought to pay some part of the construction cost for those crossings. Thank you.

PRESIDENT: Senator DeCamp, is there any further close then? No further close. The question then is the adoption of the DeCamp amendment to LB 42 as amended by the Cullan amendment. All those in favor vote aye, opposed nay. Voting on the DeCamp amendment. Have you all voted? Have you all voted? Record the vote.

CLERK: 25 ayes, 6 nays, Mr. President.

PRESIDENT: The motion carries. The DeCamp amendment is adopted. Motion on the desk.

CLERK: Mr. President, Senator Frank Lewis now moves to amend and those amendments are on Page 1088 of the Legislative Journal.

PRESIDENT: The Chair recognizes Senator Frank Lewis.

SENATOR LEWIS: Mr. President, the amendments I offer are very clear and very simple. It simply provides that the railroads will be responsible for cleaning up the debris under their own property, particularly that that's adjacent to waterways. One of the major problems that we have in terms of flooding is the collection of debris under those particular railroad structures. So this simply requires