

CLERK: Mr. President, LB 42 was returned to Select File from Final Reading for a specific amendment. That amendment was offered by Senator Cullan and it is on page 1405 of the Journal.

SPEAKER MARVEL: Senator Cullan.

SENATOR CULLAN: Mr. President, these amendments do not change the intent of LB 42, this poor bill that has been stalled and beaten and amended and we are simply making some technical corrections to the DeCamp amendments to my poor little bill and to the Maresh amendments to my poor little bill and we have checked with the Department of Roads and they concur with the amendment and the one would make a...one amendment...the amendment, the first ones on page six, amendments to the DeCamp amendments on maintenance are purely technical in nature. The amendment on page seven which relates to the amendment from Senator Maresh. Senator Maresh's amendment was initially aimed that insuring that devices would be removed if a railroad was no longer in operation. He used the word "no longer in operation" and there are some railroad lines that are not used or not in operation for short periods of time but will come back into use. So they changed the word "no longer in operation" into "abandoned" and then we changed the word "shall" to "may". The reason for changing this "shall" to "may" is that sometimes it is not economically feasible to salvage these devices and in many cases, in fact in most cases, there are agreements between the Department of Roads and the Railroads who make maintenance agreements and these agreements generally call for removal of these devices. To the best of my knowledge these amendments are satisfactory to Senator Maresh. Senator DeCamp was in India at the time so I did not have the opportunity to check with him, but I am sure that he would be most pleased to accept these amendments as well.

SPEAKER MARVEL: The motion is the adoption of the amendments as explained by Senator Cullan. Senator DeCamp, do you wish to speak to the Cullan amendment?

SENATOR DE CAMP: Yes. Mr. President, indeed they are technical amendments and indeed this little bill has been battered around a lot. But, Samuel, from a bill that wouldn't work we have made this into a great bill that is going to build some railroad crossings. So, I urge you to adopt the amendments and wish to advise you, Samuel, that the other amendments that I have up there to tax the railroads I am going to hold off until Final Reading because it will take that long to see if this new version is Constitutional. If it is, I'm going to offer it