

CLERK: Mr. President, LB 190 was offered by Senator DeCamp. (Read title.) The bill was originally read on January 14. It was referred to the Public Works Committee. The bill was advanced to General File. It was considered by the Legislature yesterday. At that time there were committee amendments that were adopted, Mr. President. I now have a series of amendments pending. The first is offered by Senator Haberman. Do you wish to withdraw, Senator? Okay, the kill motion? No. Mr. President, the motion I now have is from Senator Warner. Senator Warner moves to amend LB 190: (Read Warner amendment as found on page 830 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, all this amendment does is change the one word as written. I understand that the tax would not be levied if the amount on hand, the cash balance, on January 1 of a given year is in excess...or less than, or rather in excess of ten million dollars. I would suggest that instead of the cash on hand it ought to be the unobligated amount. I only raise the question, while that seems like a substantially high figure, if it works well and there is substantial money collected and in view of the fact that the last estimate that I knew of, that it would cost around 207 million dollars to provide all the safety provisions at crossings where it was designated, desirable or necessary to do and because some of these structures where a grade separation is involved, it could run anywhere from 2 to 4 million dollars each and obviously it would take a couple of years to construct. I would think conceivably at some point you could have on January 1, which would be a peak period, a collection of funds and no funds being expended because of weather so that you could have a substantial balance built up, but still have obligations in excess of that. And it seems to me that it is the unobligated amount that one wants to discourage. I checked the figures as they are today and January 1 showed \$2.7 million of cash funds on January 1 of today, of this year. But a million-something of that was in the process of being obligated for projects underway and another million-seven was obligated for construction during the year. The year end balance is going to be like \$65,000 and so I think that for a policy matter the tax ought not to be levied only when there is an unobligated responsibility in excess of 10 million.

PRESIDENT: Before we take up, there is an amendment on the desk. Before we take that up the Chair would like to take great pleasure in introducing a former member of this body, Senator Lester Harsh, who represented District 38. He is a guest of Senator Vickers. There he is, over in the South balcony. Les, stand up and welcome back. We now have an amendment on the desk. Read the amendment, Mr. Clerk.