

this regard. Number eight, provides for an inflation adjustment from the surcharges paid to the facility operator and remit it to the state. Number nine, provides that all surcharges collected by the operator shall be distributed to the local entities as provided by the act. Number ten, provides for testing and analysis of surface water in the vicinity of the facility. Number eleven, provides that the Governor shall appoint the Nebraska representative to the compact subject to the approval of the Legislature. Mr. President, that is a brief explanation of the amendments. If there are any questions, I will try to answer them.

PRESIDENT:      Mr. Clerk, I understand we have some amendments to the committee amendments.

CLERK:      I do, Mr. President. The first amendment to the committee amendments I have is by Senator Kristensen. Senator, your amendment is on page 1705 of the Journal. It is AM1396 is what I have, Senator.

PRESIDENT:      Senator Kristensen, please.

SENATOR KRISTENSEN:      Thank you, Mr. President, members of the body, I realize that this issue that we're talking about this afternoon has caused a lot of people some real problems, that there is a problem about addressing the actual issues of low-level radioactive waste and about the disposal and it's an issue we all wish would go away, but we can't. And I commend the Natural Resources Committee for bringing this bill to the floor and I'm in full support of the amendments of the committee and of the bill itself. However, there is some additional things that through our studies and discussions we believe needed to be added to these committee amendments and one of them, and I think probably is the key issue, is that of rebuttable presumptions and causations. And without going into a long detailed discussion about how our tort law in this state works from a legal point of view, I can tell you that the rebuttable presumption is probably the key, the linchpin of the legal discussion that we should be having in this state. We've had some discussions with the insurance companies, American Nuclear Insurers, who have told us that if this rebuttable presumption remains in our statutes, that they are not going to give us insurance. There are very few people in this body, and in fact in the State of Nebraska, that doesn't want to have insurance on a facility such as this. So in an effort to deal