

insurance fund. We need to be sure the fund is adequate and we don't know what that is. We do not know what the needs may be. There is an insurance company at the present time, I am told, that have spent an average of \$57,000 per cleanup thus far on a number of cleanups, and we don't know, of course, how much greater or less those will be. It depends upon a lot of instances. We don't even know how serious the problem is. I couldn't help but think when I was back on the East Coast here awhile back where the water table was high and there was a lot of salt water in some of the underground water that if we have a problem here in relatively arid Nebraska, that certainly they must have a more serious problem in the highly populated areas of those eastern states and they, of course, are concerned also, but I have not really sat down with any of those eastern legislators to determine if they are following the same course of action that we are. But I want you to be aware that these are concepts. We are here to get additional help from you and your input. Section 23, the responsible person is totally responsible for the first \$10,000 of the remedial action, and then is responsible for 25 percent of the remedial action beyond the first 10,000,...

PRESIDENT: One minute.

SENATOR SCHMIT: ...but not to exceed an additional \$15,000. The fund will pay or reimburse the responsible party for the remaining cost of remedial action up to \$975,000, assuming the responsible party can get insurance or guarantee payment for the 25,000 which the responsible party must pay. This will then provide \$1 million coverage for remedial action cost. Section 24, the State of Nebraska is not liable for payment of any amount to a responsible party if there is not sufficient money in the fund to make the payment. Section 25, releases first properly reported after the effective date of this act may apply to the fund. Applications for payment or reimbursement from the fund may be made on or after October 1st, 1989. It requires that laws and regulations applicable to the tanks have been followed in order to receive reimbursement from the fund. It requires that notice of the release was made as required by the Fire Marshal and DEC. It requires that the responsible person reasonably cooperate with the Fire Marshal...

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Time.