

May 18, 1989

LB 289

PRESIDENT: The motion is adopted and we will reconsider.

CLERK: We're now back discussing the Warner amendment to the Schmit amendment.

PRESIDENT: Senator Coordsen, did you wish to discuss the motion? Senator Nelson.

SENATOR NELSON: Mr. Warner...oh, excuse me, Senator Warner, would you please respond to a question? I asked Senator Schmit and I think Dave gave me the answer. If we are to reimburse or make whole again the ones that we're talking about in your amendment, do you construe it as the same basis as the new ones? In other words, the department shall provide reimbursement from the fund in accordance with Section 25 in an amount not to exceed \$975,000 per occurrence for the cost of remedial action to eligible people, and that the people would be responsible for the first \$10,000 and then 25 percent up to the 25 (inaudible), will these people that you're talking about in this two-year span be under the same provisions, not a 100 percent, with maximums?

SENATOR WARNER: (Microphone not on) ...that they are under the same provisions for those costs incurred after the effective date of LB 289. Any expenditures prior to the effective date, they are not reimbursed.

SENATOR NELSON: In other words...

SENATOR WARNER: After...after this bill is enacted, they qualify...

SENATOR NELSON: Okay, in other words, any expenses now between January...or '86 until September or whenever this bill becomes effective will not be covered.

SENATOR WARNER: They would not be reimbursed for expenses already paid but they would have the other...if they met the thresholds for expenses after...for cleanup after the effective date of this act, then they qualify along with everyone else.

SENATOR NELSON: Sure, even if the spill happened some time ago. I have in front of me, folks...and this is a real...a real tough one here because we are voting on such an unknown. I guess it's kind of like morally...not quite as bad as maybe the securities