

SENATOR R. JOHNSON: Madam Chairman or President, this bill is of substantial nature, in fact, quite substantial in the relationship to solid waste and the disposal of solid waste in Nebraska and the operation of our landfills in Nebraska. Under the bill's, as it was originally written, the Whitney exemption as it was known and has been in effect for the past 19 years, allows for an exemption of second class cities and villages from licensure of their landfills. Under this bill that Whitney amendment would be sunset effective March 1st of 1993. The committee heard the bill and the arguments in favor of the bill. In fact, there were a substantial number of folks who came in to support the bill, but there was concern that the effective sunset date might be difficult for many of the smaller communities to achieve or reach. So Senator Morrissey, and he can explain his amendment in more detail than I can, offered an amendment which was adopted by the committee which would require the DEC first of all to adopt rules and regs for closure, for closure of licensed and nonlicensed landfills by December 1st of 1991, that is this year. That is only the rules and regs for closure. That is not for the operation of facilities. Secondly, his amendment requires that second class cities and villages begin to prepare, plan for either licensure or closure of their respective landfills by December 15th of 1993. There is no date certain in this particular bill that calls for the Whitney amendment to be actually repealed. Now we're all of the, I guess, agreement, understanding that things are happening on a national level respective of Subtitle D regarding landfills in the EPA rules and regs that will affect Nebraska at some point. We don't know when, which is, of course, a problem that we have been faced with for many years that we keep hearing EPA will be coming down and basically, in effect, closing or requiring any landfill in Nebraska to be licensed or closed if they cannot meet licensure standards. I'll be honest, I have a certain amount of concern about not putting a date certain in this bill from a personal perspective. We did so with LB 1059 if you recall to basically bring the parties to the table and in this case, I guess, we've chosen not to go that path, at least under the committee amendments as offered. There is recognition in the committee amendments that there are different levels of preparation that are out there at this moment, at this point in time, dealing with the landfill issue, and the fact that not all the communities have participated in preparing themselves for the changes that are forthcoming, either by this state or by the federal government through EPA. As I see it the only deficiency