

February 27, 1991 LB 837

SENATOR BEUTLER: Well, I'm not sure that there is a lot of detail in here about...with regard to the procedures as how to proceed, but you would proceed in district court. That is set out...in federal district court. That is set out in the bill. And my assumption would be, Senator, that there is an absolute liability and that we would proceed on that theory to collect against the state whatever is their allocated share.

SENATOR KRISTENSEN: And if they would breach and they would withdraw themselves from the compact and say we're not covered by compact law anymore because of violations that the State of Nebraska did with the host state; they broke their agreement as well; we're going it on our own. There are penalties for them breaching and getting out of the compact but some of these costs that have incurred, are they tied into that as well?

SENATOR BEUTLER: Well, I suppose you get into a different set of questions maybe depending upon when they withdrew from the compact.

SENATOR KRISTENSEN: Let's take...(interruption)

SENATOR BEUTLER: If they withdrew early and had not contributed any waste to the site, perhaps there are some other arguments that could come in at that point but then again at that point they haven't...

PRESIDENT MOUL: One minute.

SENATOR BEUTLER: ...they haven't been a part of the problem either. I mean you wouldn't be dealing with their waste.

SENATOR KRISTENSEN: Okay. Real quickly, and we may get to debate this on the bill if the amendments get attached.

SENATOR BEUTLER: Yeah, why don't you just come back as soon as we are done with the amendments.

SENATOR KRISTENSEN: I want to also touch on you and leave you with another question and that is in terms of the open records and making the records available to people that we have in the amendment here. That seems to indicate that they can do that by bylaws or they could follow the statute of the State of Nebraska since we're the host state. They could do their own bylaws. Do we want to make sure that they do follow our laws or...I guess I