

SENATOR MORRISSEY: ...the commission may also assess any cost associated with the development of a new regional facility on the state which has withdrawn or had its membership revoked. It is right here in their rules and regs that they can do that to us. Now if you want to sign onto that, fine. I think it is the wrong thing to do. We have the implementation laws in place to do it in its proper procedure. We don't need to do anything in advance. We want to look at the rules and regs by the NRC. We want to review the contract by U.S. Ecology, and then we will take things in the proper order. I urge you to kill LB 748. Thank you.

PRESIDENT MOUL: Thank you, Senator Morrissey. I will now recognize Senator Withem, followed by Senator Rod Johnson and Senator Elmer. Senator Withem.

SENATOR WITHEM: Yes, Madam Chair, members of the body, I have a question or two for Senator Johnson, and I know he will be frustrated with this. I am one of these members who was...thought I was, when I looked at the agenda, looking at a simple real estate transfer and, obviously, I should be bright enough to know anything dealing with the Low-Level Radioactive Waste Disposal Act would not be noncontroversial, but I am just now getting into the issues here. So I have some very simple questions to ask, Senator Johnson, to help my personal understanding of this measure. Committee statement says under current law, the State of Nebraska is required to take title to the real property. That current law that is being referred to, is that the low-level nuclear waste compact?

SENATOR R. JOHNSON: Senator, that is in Section 81-15.101, where it says the department shall not approve any application for a license to receive radioactive waste from any person for disposal on land not owned by the state or the federal government. That deals with state ownership requirements. That is, as I said, in Section 81-15.101 of our state statutes.

SENATOR WITHEM: Okay, well, that's Nebraska's specific language, that is not part of the overall...that is not a compactual requirement?

SENATOR R. JOHNSON: There is a requirement by federal law, as well, Senator. In response to federal law, 10 CFR, 61.14, it says, where the proposed disposal site is on land not owned by