

have a delicate balance between both of these chapters of law as they deal with underground storage tanks. The amendment, as I said, is largely technical. It has been printed in the Journal for some...week, almost a week now, so if there are questions, I will be happy to answer them. Mike Linder, with DEC, is behind the glass. He can answer more clearly if you have any questions but, as I said, this is simply to try and address some of the concerns DEC had with LB 409.

SPEAKER BAACK: Thank you, Senator Rod Johnson. Is there any discussion on the amendment offered by Senator Rod Johnson? Seeing none, Senator Rod Johnson, do you wish to close? He waives closing. We will now proceed to vote on the amendment offered by Senator Rod Johnson. All those in favor vote aye, opposed vote no. Have you all voted? Record, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of Senator Johnson's amendment.

SPEAKER BAACK: The amendment is adopted. Next item on the bill, Mr. Clerk.

CLERK: Mr. President, Senator Johnson would move to amend. Senator, I have your AM1222 in front of me. (See page 1642 of the Journal.)

SPEAKER BAACK: Senator Rod Johnson.

SENATOR R. JOHNSON: Thank you, Mr. Speaker. This amendment, again, is an amendment brought to me by the Nebraska Bankers Association, and Bob Hallstrom. He brought this to me this morning and I have had a chance to look through it. I don't see anything that is objectionable here. This deals with the language of lender liability. Principally, it deals with further extending the exclusion that covers lenders who, without participating in the management of the tank, take title to property through foreclosure. The language in the bill needed to be clarified based upon a conversation that they had with EPA officials, clarifying the definition of the word "owner" and "operator" to conform more closely with federal regulations, specifically federal regulation, 42-USC 69-91, subparagraph (b)(h)(9). God knows what that is but, in any case, this is a clarifying amendment to the issue of who is liable and who is not liable, in this case, the lenders who take over a petroleum marketer operating station through foreclosure. It makes clear