

particularly speak on this except I thought the other day we were being awful hard on operators, especially smaller ones, and although I admit, I haven't heard a lot about it from anyone, this, again this seems more aggressive. I do understand the need for doing something with this fund. I am in a position right now, it is hard for me to make a decision without digesting this a little more, and when I am uncomfortable with something, I will tend to vote against it unless I hear some other comments about this issue.

SENATOR WARNER: Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President and members, I am going to vote against the Beutler amendment. The point he raises is a legitimate one and is the one that we discussed on General File relating to the issue of whether there is availability of insurance and whether the insurance is cost effective for someone to purchase. His amendment, as I read it, extends that out, puts some deadlines on it and I think we can revisit this issue, in fact, I think we will revisit this issue for a number of years and I think we can address it at that time. But right now I think what we have got in the bill is a legitimate concern. I have yet to see a lot of figures or a lot of groups coming to me saying, yes, here is the available insurance. From everyone I've talked to, or at least a lot of the folks I've talked to, they have indicated third party insurance is either not available to a lot of the smaller station operators, or, number two, it is so expensive they simply can't afford to purchase it. And by opening up the fund for third party liability, hopefully, it will not happen that often that the fund will be drained from third party liability claims, but, in any case, it opens up the fund for the purposes of giving a small operator or a large operator, whichever, a fund that they can go to to protect them, and to keep them in the field. I think that is what Senator Schmit argued with his amendment earlier, that the purpose, the general purpose behind this public policy was to try and keep petroleum marketers out here in the State of Nebraska in those small towns, in those big cities, so that they can serve the public, and I guess while I am willing to let the marketplace dictate policy, in this case, based upon information I've received, there seems to be a lack of affordable or available third party insurance that will protect a lot of these smaller and larger operators. So I will not support the Beutler amendment.