

up front to start the remedial action and then the remaining 15,000 is split over a 25-75 split with our remedial action fund. Unfortunately, what my amendment did, or as I amended Senator Schmit's, was make that 15,000 all up-front money and it was my...not my intention to disrupt that history of how we have been paying for remedial action. So what my amendment does is say that they can pay 5,000 of the up-front money, then the 25-75 cost share kicks in and they pick up the remaining 10,000 over that period of time as remedial action is continued. That's the major amendment to this, or major change, I guess that I'd say, with my amendment. We're also modifying some of the language dealing with an amendment that I also offered on behalf of DEC on the payment of any damages that may occur when they go on the property to check for any damages there from a spill. And the others seemed to be more minor changes, but the big change here that we're proposing is to make sure that those small operators do not have to pay that \$15,000 all up front; they will pay 5,000 up front and then they'll pay the remaining 10,000 over a period of time as they split that with the fund, 25-75. So if there are any questions, I'll be happy to explain it to you. I just was explaining this to Senator Lindsay but I would like to make these changes and send the bill back to E & R final. As you recall, we have a deadline which has to be met. In fact, I was just talking with Mike Linder from DEC, if this bill is passed yet this week or appears to be headed to passage, he is going down to Kansas City to meet with the EPA officials. It is our hope that our fund will then receive the green light from them and our petroleum marketers will be protected or show that they do have financial assurance. So those are the changes. I'll try and answer some questions if there are any.

PRESIDENT MOUL: Thank you, Senator Johnson. Senator Coordsen.

SENATOR COORDSEN: Thank you, Madam President and members and members of the body, I rise to encourage the support of the return of LB 409 for this particular amendment. While I would have been happier if we would have been able to stayed with the \$5,000 cost, I think that the consensus of the Legislature yesterday was that this would be a reasonable compromise. I think as we work on this issue though, it is important that we remember that in many of the small vendors the sale of gasoline and other motor fuels are more incidental to the business than the primary operation of that business, those that have low gallonage operations that are part of a retail establishment that delivers a number of other consumer services to that small