

April 17, 1991

LB 409

be called upon to address it.

PRESIDENT MOUL: One minute.

SENATOR SCHMIT: I was very...I was very pleased that the Commodity Credit Corporation has agreed to reimburse the Village of Bruno for the \$80,000 which that community had to pay for the relocation of its municipal well because of carbon tetrachloride contamination by a USDA bin site. I'm looking forward, with some interest, as to whether or not the State of Nebraska will be reimbursed for its \$200,000, which they have also given to the city for the defraying of the original cost. I think this points out something, it was very difficult to get the Commodity Credit Corporation to agree to this. They recognize the precedent this involved. Once we embark upon this kind of a program, ladies and gentlemen, we have established a precedent, the costs are going to be substantial, and we need to know that we are getting the best possible type of legislation. I would hope that we would adopt Senator Johnson's amendment, and then have a chance to discuss the bill...

PRESIDENT MOUL: Time.

SENATOR SCHMIT: ...in more detail. Thank you.

PRESIDENT MOUL: Thank you, Senator Schmit. Senator Warner.

SENATOR WARNER: I guess my comment is in the form of a question to Senator Schmit this time. Essentially, Senator Schmit, what we're talking about is lowering the threshold of responsibility, but the justification is based on ability to pay. At least the logic of the argument you've given, no one would quarrel with that. But is the concept, instead of just using the dollar amount, have you looked at some other concept of...that would relate to ability to pay, rather than just a simple 5,000 versus 15. I would assume the individual that you and Senator Morrissey are discussing, 5,000 may even be a pretty big amount in her case, and whether it's 15 or 5 may not...may still be very large. I'm wondering if it isn't more logical...and I've taken the position, I can recall in the past, that maybe the state has total responsibility for these kind of cleanups prior to some past date, where no one was doing anything that they were aware of as being wrong, impossible, as in this case, to go back and assess who really was responsible for ownership could have changed several times, and in many cases would have. But