

risk of EPA not approving our program. And so these, I think, these five amendments or this one amendment which incorporates five different changes I think really addresses some of the concerns that EPA has about our program. And I am hoping that with these changes, they will find that we are working in good faith to meet their concerns and will approve our fund yet this year. Those are the amendments.

PRESIDENT MOUL: Thank you, Senator Johnson. Is there anyone who wishes to speak on this motion? Seeing none, we will vote on the motion to return LB 409. All those in favor please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Madam President, on the motion to return the bill.

PRESIDENT MOUL: The motion is adopted. Senator Johnson, would you like to address your amendment.

SENATOR R. JOHNSON: Madam President, I believe I addressed my amendment in my opening. Again, I want to make it very clear, we are not changing the fee structure at all in this bill. We are changing the cap rate and the triggering mechanism from 1 to 2 million and from 3 million to 4 million, but beyond that, we are really not changing the fees charged to the consumers of petroleum products. That was one stipulation I made to the group that met yesterday was that I did not want to see those fees changed. I think we are asking the consumer to carry a large part of this program. In my opinion, it was not necessary to change those fees at this time if we changed the cap rate and the trigger mechanism on the low side. So, hopefully, these changes will, again, meet the concerns that EPA has expressed. I would move the amendment.

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

SENATOR MORRISSEY: Thank you, Madam President and members. I would hope we could all support the amendment. I still have concerns that were addressed the other day that Senator Johnson mentioned earlier this morning, concerns that we are taking action and taking \$15,000 from an elderly person and only 25,000 per site from a large corporation, in some instances, and that needs to be addressed. I don't think we can get it done this year. I am trying to...I have been trying to work on it and see