

tons of dirt, that facility becomes a part of the real estate and whoever owns that real estate thus owns the liability to the waste. So that's a question that I still haven't got figured out what happens when we close a facility and then bury it under all of this dirt, but we'll be working on that. The liability issue is something we brought up all along and something Governor Nelson has been hammering on. I must mention that this bill or this language that Senator Elmer is striking, that we shall not take title to the land, that language is 99.9 percent bad and .1 percent good, because, as Norm Thorson, our former Chairman and representative of Nebraska said last year or maybe even in '89 in a Judiciary hearing on liability, if you want to get shared state liability language locked up, your only hammer is to hold taking title to the land, in other words, don't let them know that you will not take title to the land of the facility unless they won't be able to officially license it until you get shared state's liability. So, by striking Senator...striking the language that is bad, that Senator Elmer wants us to do, and also striking the language I want us to do, I can't argue not to do it simply because it removes that hammer. We must rely on the good faith of our sister states in this issue. There are a lot of good people out there working in good faith, including us. So even though, by doing this, we are taking away the ultimate hammer on shared state's liability, I just mention that so you all realize that, that there is just that .1 of 1 percent here that is good about this language. I would ask you to take a close look at my language, adopt my amendment and then adopt Senator Elmer's amendment and then I would answer any questions. Thank you.

PRESIDENT MOUL: Thank you, Senator Morrissey. I will now recognize senators wishing to speak to the Morrissey amendment. Senator Rod Johnson.

SENATOR R. JOHNSON: Madam President and members, I will speak to both the Morrissey amendment and the Owen Elmer amendment and I am in support of both and I think there is much of the controversy surrounding the assumption of both the property and the title to the waste is really being addressed here and, hopefully, will take away some of the concerns that people have that the state is assuming an untold responsibility here or liability that we should not have to assume. So, with both of these amendments being adopted this morning, I think we can safely tell our folks that we are trying not to expose the State of Nebraska and its citizens and taxpayers to some undue or