

unwilling precedent of taking over title of the property as well as the waste itself. Senator Morrissey talked about using the hammer approach to get shared liability. Well, I can guarantee you, in my opinion, after yesterday's action the shared liability issue is all but a moot question, I think, at this point, but we'll see. It's possible the other states will continue to proceed but it's unlikely in that case that they're going to pass shared liability issue with other issues looming on the forefront. That is a side issue. This issue, I think, is good faith negotiations taking place here to try and address some of the earlier concerns that were brought up on the first round of debate. It is my hope today that this body will adopt both the Morrissey amendment and the Elmer amendment and move LB 748 on to Select File. I think both get to the heart of the Nelson memorandum and some concerns that Senator Morrissey has about the assumption of responsibility of the waste stored at this facility if and when it should be built.

PRESIDENT MOUL: Thank you, Senator Johnson. The speaking order now is Senator Morrissey, Dierks, Elmer, Beyer and Horgan. Senator Morrissey.

SENATOR MORRISSEY: Thank you. I just want to respond to one thing Senator Elmer said, and I can't remember if he said it would solve all of our liability problems or go a long way towards it, this will help. This will help. But I, by no means in my mind, will it solve all of our liability problems. Again, I have liability legislation pending that would lock that liability to the people it belongs to, the generators and then the operator and then finally after that then the states would come into play if all of these folks were down. We will address that next year. I think it's still very much needed. Again, the shared liability, that's the third step in that, in my opinion. First, you nail the people that are making the profits on the waste they produce and then you get the operator of the facility, mix them all in there, and then finally, finally after that is all exhausted then you tap into the states if needed. And the liability, the shared liability that Governor Nelson is asking the other states to adopt, I don't think that question is moot or it shouldn't be if it is because the representatives, one representative from each one of those states, again as we argued yesterday, voted to give the citizens community consent. So if they voted for it and then later their representative, in testimony in a hearing this year, Allen Peterson said we just needed it defined and asked for it defined, we defined it for