

the universities and medical facilities and etcetera that use radioactive materials. If their resources were exhausted then the fourth step would take place where the states would assume some liability. I believe this is a remote possibility but nonetheless it is a possibility and that shared liability also has to be addressed. But, at this point, with the understanding that if we need to make some minor adjustments on Select File, I would certainly support Senator Morrissey's amendment to the amendment and then ask for the adoption of the amendment to the main bill. Thank you very much.

SPEAKER BAACK PRESIDING

SPEAKER BAACK: Thank you, Senator Elmer. Senator Beyer. I don't see Senator Beyer. Senator Horgan.

SENATOR HORGAN: Thank you, Mr. Speaker. I would have a couple of questions for Senator Elmer, please.

SPEAKER BAACK: Senator Elmer, would you respond, please.

SENATOR ELMER: Certainly, Senator. Go ahead, Senator Horgan.

SENATOR HORGAN: Senator, can you give me some background or explanation as...I mean, so far throughout the session we've heard from the compact and from US Ecology and others that the State of Nebraska has to take title to this land and that for this project to go forward the state must take title to the land and for us to be on a time line we have to be taking title to this land. And now, all of a sudden, everybody seems to be saying, no, Nebraska doesn't have to take title to the land. I'm a little confused, I think.

SENATOR ELMER: Well, Senator, as much as possible, of course, I lack the expertise of the Bar, however, that may not be detrimental to me, I don't know. First of all, I understand that it's in rules and regulations somewhere that it's preferable that the land belong to the public perhaps as a public safety measure. But nowhere can we find in the federal statute or in compact language that is effective federal law, as the Governor stated, an absolute statutory federal or compact law that says we must own that property. Currently, in the Nebraska statute it says so. What this amendment does is remove that from statutory language. We would not be in conflict with the compact or federal law but we could in some rule and