

title take comes liability. The NRC has no rules or regulation claiming we have to take title to the waste or take title to the facility. One NRC commissioner last week seemed to think that that requirement was in law, but it is indeed not anywhere in law or rule and reg. I think the bill is a good bill and I would ask Senator Elmer a question.

PRESIDENT MOUL: Senator Elmer.

SENATOR MORRISSEY: Senator Elmer, I asked you earlier why we needed to do this, why we didn't read what I felt was an important bill on Final Reading and you said it was a consensus of opinion that we should do that. Whose opinion was that?

SENATOR ELMER: Senator Morrissey, there seems to be two different groups that have two different opinions. The generators of the waste seem to be of the opinion that the state needs to have title to the land. On the other hand, the Governor and obviously a facility that is out in Utah think otherwise.

SENATOR MORRISSEY: Well, I'm sure...

SENATOR ELMER: There is generators have asked Senator Dole from Kansas to ask the U.S. Attorney General opinion about whether or not this is true. The second reason that I asked for it not to be placed on the agenda is that it seems redundant to go through passing a bill, having the Governor sign it or not, having it published and put in the statute books when we're not really sure which group is right.

SENATOR MORRISSEY: Thank you, Senator Elmer. I'm sure that generators would prefer, especially the Kansas generators and the out-of-state generators, I am sure that they would prefer that we take title. I'm sure they'd love to transfer that liability to us as a state. I just don't think that's right and we seemed to correct that and the NRC has no rule and reg on that at this present time. So why not have the State of Nebraska pass this bill and not take title to the waste, not take title to the land and we've got it in our statutes and then if the NRC wants to address it later, then our Attorney General, the one representing the people of Nebraska, not the people and the generators of Kansas or other states can address this issue. The NRC doesn't even have rules, as we've stated before, and regs for an above ground facility like we're supposed to be