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FLOOR DEBATE

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LB 165

and NMC's expenses in defending claims by third parties or prosecuting claims against third parties shall be considered cost of operations, cost of operations. Any other lawsuits, any other expenses that they would incur, their costs would be a normal cost of operation. That cost of operation is then sent back to NPPD customers. It's the cost of operating that plant. That is beyond just the liability, just the limitation on the provision of indemnification, and those costs we can only imagine. We don't know what those will be, but by indemnifying NMC, by granting this authority, we allow that door to be open. We allow that option to be out there. We allow for those additional expenses that could, at some time, occur. Now you can say, well, why should we look at what could happen or might happen? The sky could fall too. Well, unfortunately, people didn't...

SENATOR CUDABACK: One minute.

SENATOR PREISTER: ...think about those consequences when we entered into the compact back in the eighties, and things did happen that weren't anticipated, and costs did take place that weren't anticipated, and the discussion wasn't as thorough, at that time, as I believe it should have been. And now, we're faced with \$150 million judgment, well beyond the amount we've spent just on defending the state, not counting the cost for staff and other expenses in dealing with the whole issue over the last probably 15 or more years. This is a major policy decision. Indemnification is not something we should enter into lightly, and I'm glad that additional speakers are standing up and saying, wait a minute, maybe this is something we need to take a deeper look at. I thank Senator Mines for his time, and I thank Senator Hartnett this time for this time. And...

SENATOR CUDABACK: Time.

SENATOR PREISTER: ...my time is done.

SENATOR CUDABACK: Thank you, Senator Preister. Senator Bourne.

SENATOR BOURNE: Thank you, Mr. President and members. Originally, I was not...I was listening to the debate, and then