

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

April 10, 2003      LB 367

speak. Senator Kremer.

SENATOR KREMER: Thank you, Senator Cudaback, and members of the Legislature. If I support this, it's going to be reluctantly. Not because it's not a good cause because I think we need to address the situation with lead poisoning with children. It'd be because of robbing funds from another fund. As Senator Vrtiska had stated, we did that with the Weights and Measures and had to come back this year and raise the fees. Last year we robbed some of the money out of the LUST fund. A situation in my district of a small filling station there that closed ten years ago, they did not qualify for the \$5,000 deductible, and had to go to \$10,000 deductible because the quantity of gas that they had sold or diesel fuel. It was...most of it was sold directly to the end user. It never did go into their tanks, through their filling station, but still they had the \$10,000 deductible, which is about the same for...is the same deductible for a big station like Sapp Brothers or something like that. It's been a real financial hardship to them. It's still not finished. By the time they get done with the engineering fees and everything, it looks like it might cost them 35 to 40 thousand dollars. And the fact that they look into the financial situation, I guess if it would make you go bankrupt, they would...the LUST fund would pay some more, but if it's anything less than that, they will not pay any more, and it's been a real hardship to them. And as I stated before, if we have so much money in there that we could take it out of the LUST fund to go somewhere else, why don't we change the formula a little bit so a station like this could qualify for some more of the LUST fund? And I agree with that. I think it's right. I think the formula puts a real hardship on some people. I don't know if it's even possible to change that formula. Senator Schrock, maybe I could even ask you as the Chairman of the Natural Resources Committee.

SENATOR CUDABACK: Senator Schrock, would you yield to a question?

SENATOR KREMER: Does the...do they ever look into the formula for the deductible of the LUST funds, or is that ever changed, or who sets the rules on how it's administered?