

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

February 25, 2005 LB 298

commerce land which has been polluted, which there is a remediation plan. That remediation plan has been carried out, and then the land is returned to the stream of commerce, at less than its pristine value, but at a practical and safe limited set of usages for which the law would then allow, into the future, owners to observe and control the land. The bill was reported out by the Natural Resources Committee unanimously, and I would ask for the adoption of this amendment to LB 298. Thank you.

SENATOR CUDABACK: Thank you, Senator Landis. Mr. Clerk.

CLERK: Mr. President, I now have amendments to Senator Landis' amendment. Senator Beutler would move to amend with FA57. (Legislative Journal page 628.)

SENATOR CUDABACK: Senator Beutler, to open on your amendment to the amendment.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, this is a necessary bill, and I understand that, and correctly used, can do a lot of good; incorrectly used, can do a lot of damage. I am sad to be debating it even, in the sense that the bill itself is an enormous admission of defeat for our society. It admits our inability to correct environmental damage, serious environmental damage. And it says to us that as a society, we're going to accept, in the future, contaminated land that will only be good for limited purposes. And that's good, because limited purposes, in many cases, is better than no purpose at all. On the other hand, I hate to see something like this put into effect, for fear that it will cause regulators to be more likely to allow other situations to deteriorate, with the idea, well, they can be partially redeemed with environmental covenants and restricted land uses. I don't want us to go any further in the direction of enormous pieces of land here and there becoming constricted and retracted and limited in their uses. Hopefully this is a solution for the enormous ignorance we exhibited from the time of the Industrial Revolution up until the 1970s, and that the enormous harms that were done in that time, unbeknownst to most of us, not understood by most of us, can be corrected by remedial action and by admissions, sad admissions, like this set of statutes