

January 19, 1996 LB 750

have been 2819. The second would be 2833.

CLERK: Yes, sir.

SENATOR LANDIS: AM2833 is the one that I wish to offer. And although the other was formally offered beforehand I'd like to withdraw it and make available 2833. (See pages 527-28 of the Legislative Journal.) That's what I've been discussing and that's what's on your desk. I'll close with that. I'll return to Senator Wehrbein the rest of his time so that if he wants to pose a question he may.

PRESIDENT ROBAK: Senator Wehrbein, you have a minute and forty-five seconds.

SENATOR WEHRBEIN: Yes, Madam Speaker and members, Senator Landis, I was wondering, I don't want to get too deep into this if I don't need to, but in using your example of a train, and I think you could use a truck transportation too, if it really would make no difference if someone had pulled on to the tracks and wrecked the train, they're still...you're not seeking liability in any case, it's simply a matter of recovery of damages to the person damaged, is that the idea?

SENATOR LANDIS: I think that's fair to say, yes. Here's how I would put the...here's how I think of this if we pass 750. If I'm a utility and I place onto the highways or the railroads nuclear materials,...

PRESIDENT ROBAK: One minute.

SENATOR LANDIS: ...those nuclear materials are exposed for whatever reason at a level that we call now the radiation dose limits. Somebody's injured by that and they can prove that damage was the result of this release, I think they're on the hook for a federal action and access to the 9 billion dollar fund. Whether a cow wandered onto the track, whether the...it was packed badly, whether the engineer was sniffing glue or brokenhearted that his girlfriend had dumped him and was weeping copious tears, any of those circumstances I think you could get a radiation dose of a sufficient limit under federal law damage because of that and you can prove the linkage between the damage and the radiation dose, you have access to the 9 billion dollar fund.