

JUN 03 1998

NEBRASKA LIBRARY COMMISSION  
LINCOLN, NE 68502



STATE of NEBRASKA  
EXECUTIVE OFFICE

LINCOLN

EXECUTIVE ORDER 95-12

WHEREAS, Neb. Rev. Stat. § 84-168 (Reissue 1994) empowers the Governor to accept on behalf of the State of Nebraska, retrocession of Federal Jurisdiction if offered by the appropriate Federal authority; and

WHEREAS, the Secretary of the Army requests to retrocede exclusive legislative jurisdiction to the State of Nebraska and to retain a proprietary interest only in the Cornhusker Army Ammunition Plant ["CAAP"], Grand Island, Nebraska; and

WHEREAS, the Secretary of the Army's proposal of retrocession is an offer to allocate power between the State of Nebraska and the Federal Government and is not a transfer or disposal of an estate or other interest of land; and

WHEREAS, the Executive Order shall not affect the obligations of the United States to comply with the requirements of any applicable federal or state environmental laws or regulations, including but not limited to, the "Comprehensive Environmental Response, Compensation, and Liability Act of 1980," as amended (CERCLA), 42 U.S.C. Sections 9601 et. seq.; the "Defense Environmental Restoration Program" (DERA), 10 U.S.C. Sections 2701 et. seq.; the "Resource Conservation and Recovery Act," as amended (RCRA), 42 U.S.C. Sections 6901 et. seq.; and any agreements or orders entered into pursuant to these laws; and

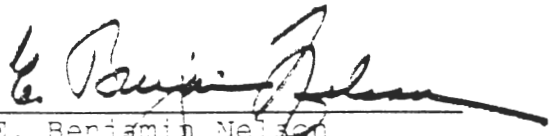
WHEREAS, the Secretary of the Army retains the proprietary responsibility for maintenance of the CAAP and any buildings or appurtenances, including, but not limited to, the repair and removal of dangerous substances; and

WHEREAS, the State of Nebraska does not assume, and neither this Executive Order nor any other document or correspondence purports to transfer, any liability of the United States of America for contamination at the CAAP by accepting the limited retrocession of jurisdiction stated herein;

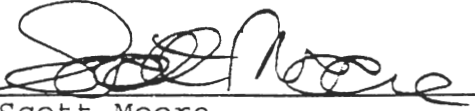
NOW, THEREFORE, I, E. Benjamin Nelson, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of the State of Nebraska, do hereby accept the Secretary of the Army's offer to retrocede exclusive legislative jurisdiction over the CAAP.

This Executive Order shall become effective immediately upon its execution.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the Great Seal of the State of Nebraska to be affixed this 17<sup>th</sup> day of December, in the year of our Lord one thousand nine hundred ninety-five.

  
E. Benjamin Nelson  
Governor

Attest:

  
Scott Moore  
Secretary of State

