

SENATOR CHIZEK: Senator, at this time, you don't feel we have a signed contract?

SENATOR DIERKS: That's right, not a valid one without community consent.

SENATOR CHIZEK: Well, it's a very, very confusing issue. I...I have some concerns about the potential of what can happen in the event, colleagues, that it's turned down site, after site, after site, because I'm one who believes we do have a valid contract and it seems to me that the cart is in front of the horse; that perhaps we should have had the votes before we ever had a signed contract. And I would say to all of those people who were involved in this activity, I hope we've learned a lesson in this particular case.

PRESIDENT MOUL: Thank you, Senator Chizek, Senator Elmer, followed by Senator Morrissey, Dierks and Johnson, Senator Elmer.

SENATOR ELMER: Call the question.

PRESIDENT MOUL: Okay, we have a motion to call the question. We need five seconds. Three...I don't see sufficient seconds. Okay, we'll continue debate. Senator Morrissey.

SENATOR MORRISSEY: Thank you, Madam President, and members. Senator Chizek, I feel we also have a valid contract. Whether it's a good contract that we signed into, I'm not sure. The contract though is between US Ecology and the Compact Commission. Rich Patton has said over and over, I will go to the commission for my direction. The commission has indicated part of the process will be community consent on a vote of the commissioners. So to say that if we have community consent, which has been promised, and we define it and we go forward with that and that is not granted in Boyd County, to say that we are then at fault and could be sued, you can be sued any time you turn around and someone may sue us, but we have a very justifiable defense. The people in control of this process voted on community consent and said, it must be defined by the state, clearly defined. Our AG has said the same thing and said this would not be a violation of that contract. The process has included this. For someone to try and say now that it isn't, with all of the evidence that's in there and all the press