

state agency or a study or advisory committee of the executive department of the state or any other body, nor is the commission a unit of state government, as set out in the Administrative Procedures Act. While the commission exists as an independent commission, it was formed as a result of Nebraska's entry into a multi-state compact, therefore is not created by constitution or statute, nor was it created by an act of Nebraska law. You have not asked, but we would point out that since this is an intrastate compact, entered into by several states and ratified by Congress, we have very serious concerns whether action by the Nebraska Legislature could subject the commission to the Administrative Procedures Act, the public meeting law, or other state legislation. Have we signed our rights away early on? That is the question, that is something we should be concerned about, that is something we should be looking into, that is something we should insist that these other member states respect our concerns and agree to cooperate with us in addressing those concerns. In a letter from a constituent, from Ray Perry, Executive Director of the Central Interstate Low-Level Radio Active Waste Compact, dated April 3, 1989,...

PRESIDENT: One minute.

SENATOR MORRISSEY: ...with regard to your request of March 28, 1989, for information on commission members, the Executive Director and Deputy Director, this is not a federal agency, and therefore is not subject to the Freedom of Information Act. We're concerned that one citizens might have an effect on this, or one person not a citizen of Nebraska. Here we've got a commission that's got everything to say about what's going to happen in our future. We have almost no control over them. They aren't a state agency, there are not a federal agency, and I've got problems with that, folks, and I would hope some of you would have some concerns with that, too. The compact chose Nebraska to host the facility. We did not choose, they chose US Ecology to site the facility, US Ecology chose Nebraska, we had nothing to say about it. US Ecology chose us. I would like to then address some of Senator Elmer's concerns. Bechtel's geologist told me, in a meeting, or said in a meeting, if anyone tells you that this is innocuous stuff, they are misleading you. There is some hazardous material in these sites. And none of these studies mentioned, none of these studies, there is not a study to show that a low-level plant, plopped down in the midst of a heavy rural population, such as my area, 43 people within one mile, a church of 300, right on a corner, there is no study