

and be recognized by the Legislature, all of you. Thank you for visiting us today. We're back on the Schmit amendment. Anything further on the amendment? Okay, Senator Schimek, please, on the Schmit amendment.

SENATOR SCHIMEK: Mr. President and members of the body, I'd like to ask Senator Schmit a couple of questions, but I'd like to preface my remarks by saying that it is nice to see Senator Chambers and Senator Coordsen agreeing on something and I would second their thoughts on the clean grain attempts. But, Senator Schmit, there really are, it seems to me, two separate questions here. One is the constitutionality questions raised by the Attorney General. The other is the future of the compact and whether we should continue to be a member of that compact or not. And I guess I'd like to address the constitutional questions first. There really were three areas that were pointed out by the Attorney General's Office. One about whether Nebraska could...form a private corporation like this; whether the method of selection of representatives is constitutional and whether we can appropriate public monies to encourage private persons or enterprises, and whether you think those are constitutional questions or not, with...if Nebraska remains in this compact, would Nebraska's delegates try to address these questions raised by the Attorney General in the language of the compact? Or do you consider this a serious questions I guess?

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Senator Schimek, I'd just like to comment relative to the language of the Attorney General's letter. I would just point out there is a difference between...we call this a compact, but there is actually a difference between this agreement between the five states and the five states, for example, that have formed the interstate, or the Low-level Waste Compact. That agreement was ratified by the Congress. This represents more of a contractual agreement between the states and one which the five states agree to work together in an attempt to improve the quality of grain and whatever else the compact decides to pursue. It is not ratified by the Congress so to that extent it is not, in my opinion, and I'm not a lawyer, it is not the same as a compact that has been ratified by the Congress which does not allow for any deviation from the language.

SENATOR SCHIMEK: Okay, so you don't think that these are