

SENATOR R. JOHNSON: If community consent is granted, and the vote is in the negative, have we violated the good faith of the other states by not following our obligations to build the facility here in Nebraska?

SENATOR MORRISSEY: If they vote against siting the facility?

SENATOR R. JOHNSON: Yes, yes.

SENATOR MORRISSEY: I feel that the...well, I know for fact the compact commission voted on community consent. And they voted in favor of allowing community consent, so I don't think that's violating good faith, to do something they've already agreed to.

SENATOR R. JOHNSON: Well, Senator, did they define how we reach community consent?

SENATOR MORRISSEY: No, unintentionally they did not define it, no. And they can't come up with a valid example of community consent.

SENATOR R. JOHNSON: That's been a problem that we've had to confront, is what community means, what consent might mean, is it a vote, is it approval of the nearest community. But what I'm saying, the point I'm raising, Senator Morrissey, and I thank you for your answers, is that we can violate good faith in other ways unintentionally, which may very well happen later this session, if we grant the community consent issue. The only point I'm making is I don't think the committee, the Natural Resources Committee purposely set out to put this 2.6 million cubic feet language in the bill for the purposes of violating good faith. I think we did it, and, in fact, I know how I voted, for reasons of my own intention, to try and provide some protection. That was the only reason. And I think my other committee members on the committee can vouch for themselves. But we felt that limiting the volume would help alleviate some concerns by citizens in Boyd County, in particular that question why there was a necessity for 5.0 million cubic feet storage capacity when the facility only really was licensable for 2.6, or had asked for 2.6, and there was a concern that, hey, you know, we're going to be a depository for more of the waste from other states and for a longer period of time if we go to 5 million cubic feet. And so that's...I swear to you, as I stand on the floor, that's what I thought the committee voted for, that's what I voted for, not purposely, nor any of the