

which would be to return to the standard practice for any other appeal, from any other agency, on any other issue, which would be district court trial de novo on the record, and error to the Supreme Court. I don't think the burden has been met why this one issue should have that. But, if this issue has met that burden, then there are a family of issues that surround it that are exactly of the same nature, exactly the same consequence, and if that's the case, they should have the same treatment of this expedited approach, and I support the amendment of Senator Morrissey. I hope that we're not so weary of the issue that we won't make a reasoned public policy that treats like things in a like manner, and that's what the Morrissey amendment does, it should be adopted. Regardless of your feelings on 827, this is wise policy to draw standardized appeal rules, and at least this gives us more standardization than the body of the bill, itself.

SPEAKER BAACK: Thank you, Senator Landis. Next speaker is Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam Speaker, members of the body. Senator Morrissey, I'd like to ask you a few questions, if I may, in regard to this, particularly the second paragraph. The first sentence says, "The Supreme Court shall determine whether the decision or order of the department was made in conformity with the procedures set forth in this section". What is the Supreme Court to do here? I'm not sure I understand what the second half does, and I'm not looking at it from a substantive point of view as to how it complies with low-level nuclear waste, because now we're starting to deal with Supreme Court procedures, and I'm not sure I'm real clear as to what this second half really does. Could you help me through that?

SENATOR MORRISSEY: All right. It says they'll look at...that if the licensing process conformed with the procedures set forth in...in this section regarding the granting or the denial of the license application, and whether a preponderance of evidence demonstrates that that granting or denial is in accordance with the legislative objectives established in 81-1580. In other words, they won't just be reviewing the procedures, that they can indeed say, well, this license application granting, that you granted the application, did it meet...they will be able to look at if it met legislative objectives. They won't just be reviewing procedure.

SENATOR KRISTENSEN: Okay, now, if we don't have this, isn't