

language set out in LB 827, on direct appeal, says the court can only look to those procedures and ask, did they consider this, did they assess... assess that, as in the sociocultural study they did consider it, they did assess it, even though it was a bogus job. So that's all they can look at. But they can't only look at it, if it was done regardless of what was found. They can't ask was the legislative intent, or the zero release objective accomplished, under the way the law is presently written in 827. The Legislature, this body sets the parameters. The standard is set, my understanding of this amendment is we set the standards, it's the first premise of the act, zero release objective, the first premise of the act, and that's what the court should look at. What else do judges do? Look at intent of the Legislature. Let's make sure we're not being sold another set of goods under 827, as it exists. I'd say let's ensure integrity in this process, but I think I'd be wasting my breath,...

SPEAKER BAACK: One minute.

SENATOR MORRISSEY: ...but we should, folks, we should. If we haven't earlier today, let's do it now. Let's ensure accountability on behalf of the department. Let's make it quick if, indeed, we feel we need to expedite the process; make a new precedent for future environmental concerns and questions, direct appeal, let's set the precedent. Are we doing that? Let's take an objective review and not a rubber stamp, rubber stamp, that plays into this issue, remember, if you've been reading your paper. We've just witnessed the problems that a rubber stamp can bring on. If you don't vote for this, then what is it that we're trying to accomplish in this body? Are we trying to allow them direct appeal, establish a new precedent for something that isn't even mentioned in the Constitution? Are we trying to do that? That's what you would do with 827, as it stands now.

SPEAKER BAACK: Time.

SENATOR MORRISSEY: Leave it up to the lawyers to hash that out and explain it to you all, if they can. Thank you.

SPEAKER BAACK: Senator Landis.

SENATOR LANDIS: Mr. Speaker, I would request a division. Mr. Speaker, I would request a division between the first