

paragraph and the second paragraph of the amendment. The first part lists those kinds of appeals that will have the expedited treatment. The second part describes the standard of review for the Supreme Court to use. I think that they are divisible concepts and, therefore, ask that they be divided.

SPEAKER BAACK: Senator Landis, I will rule that it is clearly divisible, and so we will take up part one of the amendment. Would that be the proper way to proceed? Seeing that it is divisible, we will now discuss the first part, and that's divisible. We are dividing it at line 9, on the amendment that you have, we're dividing it. Senator Rod Johnson, would you like to discuss part one of the amendment?

SENATOR R. JOHNSON: Well, Mr. Speaker, I...Senator Morrissey is correct. I said, at the beginning, that I wanted a level playing field in which the citizens of Nebraska and the contractor, US Ecology, were treated equally under the law in expediting their appeals directly to the Supreme Court. I am not an attorney, I cannot tell you whether this language is the best route to take. But in talking with Senator Landis, Kristensen and Lindsay, they indicate that if we divide the question, we clearly will deal with that in the first half of this am...or the first division of the amendment. I'm willing to accept that. The second half, I have some problems with, only because I'm deferring to my legal advice being provided here by my colleagues, that there are some questions about whether that's necessary.

SPEAKER BAACK: Thank you, Senator Rod Johnson. Senator Lindsay, did you wish to address the first part of this amendment?

SENATOR LINDSAY: Thank you, Mr. Speaker, members. If...the amendment, the first half of this amendment simply puts both sides on an equal footing on direct appeal to the Supreme Court. If that's the policy decision that we need, and I think that certainly is a policy argument, the question is, are we...we're talking about a major environmental issue here. Do we want it to drag its way through, under the Administrative Procedures Act, or do we want to get some finality to it? And I would suggest the latter is important. The...I think that's a policy decision that should be made. Now, to put both sides on an equal footing, we should allow decisions, adverse to US Ecology, to also have a direct appeal. And that's what the first half of