

SPEAKER BAACK: One minute.

SENATOR SCHELLEPEPER: ...if you put the right money out there and put the right dollars out there and put it out there so that it is safe and I think that it will be safe. but it needs to be where somebody will take it. With that I'm going to oppose this amendment. Thank you.

SPEAKER BAACK: Thank you, Senator Schellpeper. The next speaker is Senator Elmer.

SENATOR ELMER: Thank you, Mr. Speaker. You know we're talking about this community consent thing and I was talking to Senator Schellpeper about it and I think that the first part of what I was going to say has already been said. But we here in this room and in this body in the 49 of us working together are the only people in this state that can set state policy. No matter who resides in the Governor's Mansion or works in the Governor's Office, they can only carry out the laws that the United States Congress and this Legislature pass. We set state policy. The precedent that we would set in this type of a vote on a public work that benefits many, many, many more people than would actually participate is bad policy, bad policy. If we were going to include everyone who is being served by the facility, then we'd have a difference, but doing this would be just the same as saying the voters of Red Willow County and Indianola, Nebraska, which is a community, are going to elect the Governor of this state for everyone. Thank you.

SPEAKER BAACK: Thank you, Senator Elmer. Next speaker is Senator Horgan.

SENATOR HORGAN: Thank you, Mr. Speaker. I find it interesting that we talk about what is community consent and I went back and got Senator Schellpeper's remarks when he introduced LB 1098 in 1988, and in that bill and in his statement he says, Section 6 of LB 1092 defines community consent as approval by a majority of the voters in the area affected by the facility, and then Section 4 of that bill defines affected area as any county in which a facility is located or proposed to be located and any other county whose borders are located within 20 miles of the facility or proposed facility. And that bill was moved out of committee and I think defined community consent. Then on the floor the bill was amended to say that community consent is the intent of the Legislature that potential host communities be