

Legislative Journal. And I would like to refer to that in this opening. We had asked for Attorney General's Opinions two years ago and three years ago, I believe. All of them, at that time, turned out favorable to the community consent agenda. This Attorney General's Opinion does the same thing. It even carries it a step farther, I believe, and I would like to indicate some of the language in the opinion, if you will bear with me. It says, on the first page of the letter from the Attorney General, that the developer shall make every effort to locate the facility where community support is evident. It also says that the members of the Compact Commission passed a resolution December of '87 adopting 10 conditions, including community consent, as generic conditions that would apply in the event of any state selection as the host state. Dr. Norm Thorson, on behalf of the State of Nebraska, presented the 10 commandments to the commission. And further on it says that a letter of interest would not constitute a commitment to the host...to host the facility. This was in line with US Ecology requests of invitations to the community. I repeat that, a letter of interest would not constitute a commitment to host the facility. Then later on it says approximately eight days and that is not correct, it was actually about a little over 11 months, prior to selection of a preferred site. The Boyd County supervisor withdrew their invitation with US Ecology. They withdrew their invitation in January of '89 and the selection was made in December of '89. So it was almost a year from the time that the Boyd County supervisor withdrew their invitation to US Ecology that they made this their select site. And farther on in the opinion it says that the passage of LB 72 may well have no effect on the contract between the Compact Commission and the developers since it provides for a timely vote to determine community consent. In response to your question regarding the effect of failure to obtain community consent, we refer you to our earlier opinion, which was the opinion released earlier, that this is entirely constitutional and it is, in fact, intended that this community consent legislation take place. So I would ask then your approval of this bill, LB 72. I think that we go back to the very original premise of our...of our constitutional rights, nationally and statewide, that citizens be given the right to determine their destiny and their future. And with this legislation we are able to do that. This is legislation that was brought as a result of a promise on the part of the compact and it's a condition that was made before Governor Orr said we would accept this commitment from the compact and it has never been granted. And when we talk about