

Elmer, Robinson and Morrissey. Senator Johnson.

SENATOR R. JOHNSON: Thank you, Madam President.

RECORDER MALFUNCTION, NO TAPE OVERLAP, SOME DEBATE LOST!

SENATOR R. JOHNSON: ...on General File and about the proposal of community consent, what it might mean and we've been all been told numerous times what it may mean and, obviously, what we're doing here is, by statute, defining what community consent is. In the eyes of the introducers and supporters of this bill, it means a vote. In my mind, in my particular advantage point of this...vantage point of this issue the technical merits went out over a popular vote, and that the success or the failure, the building or the not building of this facility at the site that's now the preferred site, in Boyd County, should be based upon its technical review, which is under way at this moment. I'm not sure, in fact, I have an amendment sitting on my desk, I'm still waiting to decide how to proceed as to better define the voting precinct, which is to define it basically around about a five-mile radius of the site. And we looked at this map, in fact, I'll send it around as I finish here, we looked at this map in committee and discarded it, or at least some did, that it was unfair, because the map that was drawn, the boundaries that were drawn, in some people's mind, would guarantee a community consent vote that would be us. Some called that unfair. But I guess, as I told the Governor, as we exchanged ideas about this many times, what I want, what I think he wants is a vote on this process, if there is going to be a vote, where the outcome is not determined. And it is hard for me to truly, honestly believe that the outcome is not already predetermined in this situation. But regardless of that fact, setting that fact aside, I come down on the side that we should allow the process to work. There is still a great deal of debate on whether the site in Boyd County is licensable. And, in the meantime, the Department of Health and the DEC are in the process of reviewing that application, which is several hundred pages long, which has many technical aspects to it. Not being in that field, I can't tell you all of those things, but it seems to me that that ought to work its course. If that site, as I said on General File, fails, it seems to me that we go back to the compact and say, we proceeded in good faith in meeting our obligation to the compact. After that point then it's anybody's game. But if you sidestep, or sidetrack this issue into an issue not of the technical merits of the site, or the contractor, which is