

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 17, 1999

buffaloed and bullied by your incompetent, unethical Attorney General to such an extent that he thought he could do the same thing to the federal courts. I've read documents in connection with the various legal proceedings in connection with this waste facility. Your Attorney General's Office has been sanctioned, another instance where sanctions were justified, but Judge Kopf asked the other side to forego insisting that the sanctions be imposed. So in writing his order, in which he severely chastised the Attorney General, he pointed out that the sanctions were justified, but he appreciated the fact that the other side agreed not to push for the imposition of those sanctions. Your Attorney General has bungled this case, he has blundered his way through it. And you all can act embarrassed now, but you have encouraged him to do the kind of things he has done. And now the state of Nebraska is in a very terrible, probably indefensible position with reference to this facility. Nebraska is going to lose. You let the Attorney General play with you all. He can't do that with the federal courts. And now the chickens are going to come home to roost. And what I intend to do is share some of the more pertinent documents that have been produced from this litigation. The court points out where the Attorney General's filings misstate what was said by the court, point out how many times the same issue had been gone over, how the Attorney General had asked for time, just all kinds of blunders that show utter and absolute incompetency, which, in my mind, rises to the level of unethical conduct. But you all, because most of you are of his political persuasion, are going to throw everything aside. Well now, Senator Dierks, all that yeoman work, to use your term, that you have done, all those votes that I cast in going along with you, though I had mixed emotions because I was aware of how the Attorney General was mishandling this case, and former Governor Nelson is not completely clean either, they milked this issue for all of the political mileage they could get, and now the piper must be paid. But all of those votes that I cast were in vain. And I know that there is going to be a proposal before us again before this session is over to withdraw Nebraska from that compact. I am weary of the game that is being played. It would be different, Senator Dierks, if the Legislature had tried to have some kind of input and provide direction in terms of how these legal matters were handled. Had the Legislature tried to do that, the Attorney General, because he has so much contempt for