

Now we don't envision that this bill, 340, is going to come into effect prior to that time. Even if it does, we recognize that this law is not in effect today when we're discussing it but it is our intent and it is our language that we want it to apply to this bill for all future references. It also is important that this procedure is going to be de novo and that is some legalese terms but basically it is going to apply to us with a whole new record and all new issues and pleadings. So no matter what has been done with the three-member body, you'll have a whole new court proceeding that will be beginning at the time this appeal is filed and that's important for a lot of reasons, but basically that is a procedure so we have some court setting some appealable record set down that we can follow, where before we had some burdens of proof in the Administrative Procedures Act. That is not going to apply now. They had some other barriers and some burdens that you'd have to get around before you could even hear the issues. This procedure will be a quicker appeal route than the one we had in the Administrative Procedures Act and it's one I am comfortable with. I also think that the exclusive remedy situation, Senator Landis outlined that very well, and that certainly is our intent that you cannot appeal this procedure until it is completed, until there has been a decision reached by the arbitration board or whatever we want to call this board with the public counsel. They have to render a decision before the appeal process will come into effect that we can't appeal prior to that and your only remedy is to follow this procedure. Thank you.

SPEAKER BARRETT: Thank you, sir. Senator Bernard-Stevens, followed by Senator Chambers.

SENATOR BERNARD-STEVENS: Thank you, Mr. President. I just want to put a couple things on the record, also in response to Senator Goodrich's question earlier. If you'll note the language of the bill, particularly on lines...in the first section, Section 11, the first part, I think somewhere between lines 4 and 8, the exclusive remedy available to the agreed party under the act, under the act, in other words, under this particular act. No reference has been made to the Administrative Procedures Act whatsoever in the bill so that, the Administrative Procedures Act will not necessarily apply to what we're doing here, specific legislation for this specific instance. Also I'd like to, for legislative intent, and I think this is more for bill drafting than anything, this amendment, if agreed to, again, this amendment 1064, if agreed to, would