

cases, let's just imagine, God forbid, that there was 150 percent higher rate of cancer in that area than any place else, the problem wouldn't be to show that the waste site was being run negligently, that wouldn't be the problem. The problem would be in establishing the causation of your cancer, how it was that you came to get the cancer, and to establish that your cancer was the result of a something done by the waste site, whether it was in good faith, whether it was done with utmost care, whether it was done negligently, whatever, but that they caused the cancer, and that's the problem. Now the rebuttable presumption issue says, if you've got an injury, we're going to assume that the waste site caused it. Well, frankly, that can be a little...that standard is a little too loose. On the other hand, if we keep a strict causation rule and have to show, even though we might find out that there was a higher cancer rate than normal, that there was some specific, direct causal connection between the waste site and the individuals injury, that standard would be too high. I'm not sure who could prove that. Frankly, we've got to find a middle ground, and I can see a study serving a good purpose here. That ground should be lower than the normal standard of causation when there is an aberration of circumstances, an aberration that says when you have higher sicknesses or higher rates of injury than normal, I think the causation standard should be lower. It shouldn't be so low, however, as to have a rebuttable presumption that says no matter what the injury is, we're going to assume there was cause by the waste site unless they can show that it wasn't. That standard would be too low unless there was some kind of trigger that established a course of conduct, a rate of injury, a rate of disease that was uncommon. Then I think the rebuttable presumption makes sense. It's worth the time to study it. This one is worth supporting. Secondly, Spencer Morrissey's amendment on a \$100,000 for the local committees, that's a reasonable amendment and we ought to turn over the resources to people to study this thing to the level that it should be studied at. Unfortunately, I don't support the notion of a local vote for those people who want to write a whole new 761 and I'll tell you why. My perception is that this system has been flawed. I confess that. The public relations nightmare that has been created by the people who have made, in one case, sets of promises in it, seems to me that those promises are not going to be kept.

SPEAKER BARRETT: One minute.