

doesn't make any difference. The Supreme Court told them they have case law that says you can have 100 percent relief if you want. So I don't really understand what the big issue is as to whether this is in or whether it's out. The Department of Revenue originally said they want it in and they wanted it out. Now they don't really care. The railroads originally said they wanted it in, now they will take it out. It's not going to stop or diffuse any litigation whatsoever. It appears to me that if you want to leave the status quo, this particular part of the amendment is not necessary. It has nothing to do with emergencies, has nothing to do with future litigations. It has nothing to do with past negotiated settlements. If the Department of Revenue said it's okay to come out and if the railroads say it's okay to come out, I don't understand the need for having it in.

PRESIDENT: Thank you. Senator Haberman, please.

SENATOR HABERMAN: Mr. President and members of the body, I would like to support removing Section 3 from the committee amendments for the reasons already given on the floor. It kind of reminds me of maybe sometimes we take legislation and we Christmas tree it and this might be a Christmas tree amendment. As has been explained, it's not needed. Railroads say take it out. The Revenue Department said we would just as soon not have it. I have faith in them that they will do what is right and use their...they need the flexibility to do what they think is right, then if they do it wrong, they will be caught. Somebody will slap their wrists and it will be taken care of, but I don't think that we should endanger a piece of legislation for Section 3 if we can get along without it. So I would endorse suggesting that we take it out. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Hall, please.

SENATOR HALL: Thank you, Mr. President. And I would just respond very briefly to Senator Hannibal in that I hope he did not mistake my comments earlier by saying that by any stretch of the imagination I was opposed to the amendment that Senator Warner has before us. All I'm saying is both sides of the issue, as they have been presented, he is clearly right when he says, and as Senator Warner has said, that doesn't mean anybody with \$10 can't file suit. I mean, that, you know, is going to happen. I mean, no problem there. It doesn't...by leaving this amendment in you don't bar litigation by any stretch of the