

the gas station, and the Attorney General. So you, as a third party, are not involved in that compromise. You don't have to agree that it's good, so you, as the injured third party, are not involved in the compromise. And I don't think that's the way that should be done. And I know the department would probably be protective of the fund, rightfully so, having concerns that if it gets drained too heavily that there could be problems in our credibility with the EPA and other folks. But I don't think this is the way we want to approach this, because if, indeed, you are the third party injured in an action such as this, you do not want the department's concern for the size of the fund to affect their judgment on how possibly a third-party claim might be settled. So, I think it's pretty simple. I don't know, I think the intent was to avoid some court cases, but the way this is done, I think it's wrong and I would urge the body to take a look at Section 18 on page 2 of committee amendment 0625, and support my effort to remove Section 18. Thank you.

SPEAKER BAACK: Anyone wishing to discuss this amendment by Senator Morrissey? I don't... Senator Lamb, did you wish to discuss this amendment? Senator Schmit, you're next.

SENATOR SCHMIT: Yes, Mr. President, I would like to discuss the amendment. I support the amendment. I brought this point up in the committee, and that is one of the reasons why I did not support the committee amendments. I was not successful during that time, and I'm glad to know now that Senator Morrissey has joined me and has proposed that this language is not, at all I think, consistent with good government practice. The opportunity for not necessarily chicanery, but for inequity to persist and to exist is overwhelming in this instance. And I think that the removal of this language is important. I think the entire issue of third-party claimants has not properly been addressed by the bill. Although I want to commend Senator Rod Johnson and the staff and the people who have worked very diligently on these amendments, they've worked very hard. The bill was a tough bill before when we introduced the bill. It did not do that which we wanted it to do. I think Senator Johnson has made some improvements, but I believe that the removal of this language is important. And I will speak more about the committee amendments at a later time, but I support the Morrissey amendment.

SPEAKER BAACK: Thank you, Senator Schmit. Senator Pirsch, did