

General and the responsible party are without authority to settle or compromise claims that third parties may make. We want, I assume, the ability to settle claims and to compromise claims, and to have the department at least be able to participate in that. But I assume that what you don't want is to have the department have the final and only word as the spokesperson for the third party who is shut out from this discussion by Section 18. Let me ask which of those two situations you envision in withdrawing Section 18.

SPEAKER BAACK: Senator Morrissey, would you respond.

SENATOR MORRISSEY: Yes. Senator Landis, my main concern was that the third party wasn't involved.

SENATOR LANDIS: So, let me just follow that up by saying you're not objecting to the concept of settling claims, or compromising claims. Is that correct?

SENATOR MORRISSEY: That's correct.

SENATOR LANDIS: But that the third party should be present and an element of that compromise and settlement, and, therefore, Section 18 doesn't appropriately describe the rights of the third party to participate in the compromising of the claim, and should be struck as inadequate. Is that correct?

SENATOR MORRISSEY: That's correct.

SENATOR LANDIS: Okay. Thank you. I'll be happy to vote for the striking of Section 18.

SPEAKER BAACK: Thank you, Senator Landis. Senator Lamb, did you wish to discuss this amendment? No. Is there anyone else who wishes to discuss this amendment? Seeing no one, Senator Morrissey, did you wish to close?

SENATOR MORRISSEY: Yes. Mr. Speaker and members, on my closing I want to clarify something with Senator Landis, if he would yield. Could you rephrase your last question again, Senator.

SENATOR LANDIS: Sure.

SPEAKER BAACK: Senator Landis.