

Senator Dierks. I think we should support his efforts to do what he thinks is right for the folks up there. I would urge you to support the amendment.

SPEAKER BAACK: Thank you, Senator Morrissey. Senator Rod Johnson, did you wish to speak to the amendment?

SENATOR R. JOHNSON: Mr. Speaker, members, as I was opening, I indicated that there was some controversy about the direct appeal process to the Supreme Court. I've talked to a couple of folks who have some slight concerns with the last line in this amendment. This is on page 23 where it says the courts shall advance or...and the Supreme Court shall advance such appeals ahead of all other cases, and I know Senator Kristensen has some concerns about these cases going, in this case, an appeal going ahead of all other cases. I don't have any concerns with striking that language, but as I look at this whole process, what we are trying to do is give the citizens of our state direct appeal process to the Supreme Court. That is not something we don't do for other agencies. In fact, all water cases by the Department of Water Resources follow a similar procedure. And the issue here, as I feel, is not whether we are serving the public's right to expedient trial or decision, what we are talking about is slowing the process down or trying to stop the process. What I would like to see done is that we will not save any citizen's dollars, we will not save the monitoring committee any money by having to go through the administrative appeals process. It simply allows the process to be tied up in the courts, and that is what I want to try and avoid. I will say that out front. I will repeat it. I don't want this whole issue tied up in the courts. Let the issue stand on its merits. Let the Supreme Court make a decision whether or not this application should be granted or not granted, but to let it flounder in the court structure for several years is not something I think is rational public policy. And as I said, other water rights issues follow a similar direct appeal process. I have got the language in front of me if you would like to read it. So we are not establishing something unique for the US Ecology or for this whole low-level issue. And as I said, I would like to see the language retained. As I understand it, Senator Dierks' amendment will strike all of the language in subparagraph (3) on page 22 of the committee amendments. So I would ask that the body choose not to strike that language.