

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

SENATOR MORRISSEY: Yes, thank you. I would just like to elaborate my concerns. The only record allowed, the way I understand it, would be the record, the written record that had been established by the department. No new evidence, no new testimony could be brought in, and I think that is not the way we should proceed. I think the testimony, anything that may come up after we have established a written record through the licensing process by the department should be allowed, and I don't think by restricting that testimony, I don't think we are allowing everything to be considered. Some things may be neglected. Some things have been neglected as of now. So I think Senator Dierks is right. I have not been out to intentionally delay the process for the sake of delay. I have voiced concerns about slowing down and looking at some of the things we truly need to look at to protect our citizens, to protect our state's rights, and there are still a lot of questions out there. We still need to take a look at this, and I think there is a difference between slowing down and looking, and rushing headlong into something, and I guess it is just a matter of how you look at it. And I would urge you to support Senator Dierks's amendment.

SPEAKER BAACK: Thank you, Senator Morrissey. Senator Kristensen, on the Dierks amendment.

SENATOR KRISTENSEN: Thank you, Mr. Speaker and members. I had talked with Senator Johnson and Senator Dierks had brought this amendment to my attention. This afternoon, I had a chance to read through it and one of the things that...Senator Dierks, I haven't talked to you yet about this, but we'll do it on the floor as we go a little bit. One of the things that this does say in here, and Senator Johnson alluded to it, is that the courts, the Supreme Court shall advance the appeal ahead of all other cases, which means as soon as that hits, it just like a cork goes right to the top in water, it just bobs up there. It takes precedent over first degree homicide trials or cases that may be heard that next day. I mean there is just a whole variety of things that it could do. That might could use a little cleaning up in terms of do we do this for others. Senator Johnson, I think in looking at that, I do find some precedent in other areas of law for doing that, so I guess it is not a new concept at all. I am aware that it occurs in water