

the Morrissey amendment would do. Now the second sentence of the amendment is something that I'm a little bit concerned with, and that is the question that it does not...it does not require or provides that a supersedeas bond not be required for the...any action to be stayed, pending appeal. What a supersedeas bond does is if you have a judgment rendered, at a trial court level, and you intend to appeal that, the supersedeas bond would then stay any action on that judgment until after the appeals court has given a final determination. An example, if I were to get a judgment against Senator Landis at the trial court level, it would be uncollectible, of course, but, if it was collectible, I would post a supersedeas bond, I would post a supersedeas bond...or excuse me, he would, if he wanted to appeal that, and that would then prevent me from trying to collect on that judgment until after the appeals court has determined, one way or the other, who's right. Now, in this type of situation I see problems, I guess, for...and I'm not sure that that's what Senator Morrissey's intending. In this case, if US Ecology does not get its application, it would not...or excuse me, if it does get the application, the people would not be required to post a bond. Realistically, the people who are appealing probably wouldn't have to post a bond anyway, because US Ecology is not going to sink a lot of money into constructing a facility until they know they've got a final decision. The reverse side of that, the flip side of that is on the event of a closing, if we are...if the facility is going to be closed and needs to be closed, what this provision would do is allow US Ecology to continue to operate, without posting a bond, pending a final appeal...or final decision by the Supreme Court. It would basically buy time in the event of a closing or modification of the license. So I don't think the second half of this first half of the amendment is what Senator Morrissey is looking to do. First half, providing for direct appeal, I think is acceptable and I will be voting in favor of that. But I think we might want to try to clean up the first half of the amendment.

SPEAKER BAACK: Thank you, Senator Lindsay. Senator Morrissey, on the first part of the amendment.

SENATOR MORRISSEY: Yes, I'd have a question of Senator Kristensen.

SPEAKER BAACK: Senator Kristensen, would you respond, please.