

provision. As I read that provision, it's designed to allow for negotiation but in a limited set of circumstances, those circumstances being in a situation where the state...the rates outlined by the statute cannot be obtained by the political subdivision. Is that...can you explain how 33-143, as it was originally written, was intended to operate? And let me...let me tell you what my interest is. It seemed to me that, in reading that statute, if you couldn't publish your notice with the rates that were in the statute then you were allowed to publish your notice by simply doing something like posting it some place and, you know, you can post it in some place that's in full public view, at the regular meeting place, this kind of stuff. It seemed to me that that's a very inferior way, obviously, of getting notice to people and that perhaps the new language about negotiating was designed to provide some kind of middle ground where the notice could be better to the public in certain situations. But it's unclear to me how that would have operated so my...I guess my first question is an explanation of how it would have operated had it been in the amendment and then tell us why the Maurstad amendment drops that out.

SENATOR KRISTENSEN: Well, I...what it originally was designed to do is, and you've kind of got to put it all in perspective, is that we were going to have the rate basically set each year by the Department of Administrative Services and you would have a floating rate based on what the cost was, and that doesn't mean that the rates would always go up because if newsprint went down for some reason and it would fluctuate the cost of the legal notice would also go down. But if you could not purchase, for example, the newspaper says, look, I'm sorry, I just can't, you know, we're going to be publishing this at a loss, you could, you know, you could have said, sorry, we're not going to do this and then what other form of notice did you have, that's where the original 143 would kick in and you'd just say, I'm sorry, if I can't do that then I'm going to go find this other method of notice. If you put in the negotiation part it might be higher or lower. For example depending on, you know, how many notices you may have or of it's a longer term contract or a political subdivision that did a lot of them, you may be able to negotiate a different rate and it may, you know, it may fluctuate and it would have been outside that table. And so it would have allowed for some of those things and in the smaller areas it would have been a better option. Here's the... here's the problem. The subdivisions felt like, well, hold it, there could be a... it could hurt us all the time because they could