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will say is get out of what you think is the best thing and do whatever in your judgment is best except what you think is best. So anything which is less than your best judgment is all right. If you ask the Attorney General now that we have taken away from you the right to participate in this legal action, what steps do you think are available to protect the rights of instate water users, and you say, well, the Attorney General says there is nothing I can do. So then some citizen who might feel that his or her rights as a water user are being violated might seek a writ of mandamus to compel the Attorney General to take some kind of action in the interest of the public's rights, and if the mandamus is sought and if this bill is held to be constitutional, then what the court would say, you cannot maintain this action because the Legislature has given itself the right to prohibit the Attorney General from continuing with this case. Then here is what the person would argue, "But, your Honor, all that that law says is that the Attorney General must withdraw, not that he or she cannot reapply or refile, so I want a writ of mandamus based on the proposition that the law also says the Attorney General must do what is in her best judgment or his best judgment, and since the only thing that can effectively protect the rights of the public would be to maintain a legal action, I want you to direct the Attorney General to take appropriate action." Then the Attorney General can refile the action. The Legislature comes back into session. We pass a resolution and say withdraw. So the Attorney General withdraws, then the next day refiles. Then the next one we pass a resolution. We try sometimes to use the legislative process in a fashion which is not best or wise. I think the amendment is not good policy nor is the bill so I am opposed to adoption of the amendment.

SPEAKER NICHOL: Senator Schmit, did you wish to speak to the amendment?

SENATOR SCHMIT: Mr. President, members of the Legislature, I agree somewhat with what Senator Chambers has said. I read the amendment for the first time this morning. I checked with the bill drafter and I would have an amendment on Select File to correct some of the inconsistency