

other lawsuits...

SENATOR WEHRBEIN: Yes, that's what...

SENATOR BERNARD-STEVENS: I think what you have is the other problem of counties not being able to budget for those losses and then suffering an unanticipated loss due to a lawsuit without any way of budgeting for that, and they've had to transfer money from one account to another, or had special meetings. This would be a way. And that seems to me not a really reasonable way to run a budget. It seems to me more reasonable to be able to say we do anticipate this, particularly in regards to railroads and others. We do have this pending, we need to prepare for that and its eventuality. If in fact that budgetary item that is budgeted specifically for those areas, if, in fact, the case is won by the county, then that money obviously cannot be spent in that fund because there is nothing to spend it for, it would have to revert back to the next year's budgeting cycle. I would also hope that there would be somewhat of a check on that in regards to the mill levy being set and the budgets being set on personal and public input for that. They're going to have to justify that to the public as well.

SENATOR WEHRBEIN: Okay, I think that answers my question. But, if my memory is good, there can be quite a bit of leeway in the General Fund at the county level on their mill levy. If this was a significant amount of money, there could be quite an amount of money come in being paid by the lawsuit if...assuming they won. And I still am thinking there would be quite a bit of leeway there to spend, even though it may have been earmarked for some specific things. I think I see some potential problems down the road the way this is written, but I guess I'm not sure, so I'm just raising the issue.

PRESIDENT: Thank you. Senator Bernard-Stevens, would you like to close, please.

SENATOR BERNARD-STEVENS: Thank you, Mr. President. I will try...I will close and answer a couple of the questions. Senator Wehrbein, I agree with you. In fact one of the first thoughts I had when the bill was presented as a possibility from the Revenue Department as a way out of the 1165 dilemma, my first question was, what about the chance for abuse, and is there some? I would say on any bill, such as this nature, there...yes, there is a chance for a county board abusing and