

SPEAKER BARRETT: Thank you. Senator Withem.

SENATOR WITHEM: Yes, I have a question of Senator Hall concerning how this penalty will work, if he would respond.

SPEAKER BARRETT: Senator Hall, please.

SENATOR HALL: Yes.

SENATOR WITHEM: Senator Hall, if a county collects, let's assume \$2 million of penalties, where does that money go and how is that distributed?

SENATOR HALL: It would go into the county general fund, I would guess.

SENATOR WITHEM: Goes to the county. It does not then get distributed to the other subdivisions? It's just a windfall for the county that happens to...?

SENATOR HALL: I would guess that the penalty, since it is one that is levied by the county, would be either waived or enforced by the county board, would be the counties to do with as they wish.

SENATOR WITHEM: So there would be a built-in incentive for a county board that's attempting to balance its budget or start a new program someplace to be less than supportive of those people who...small people you described who come in to...genuinely forgot or the milk money didn't come in or the other examples you used, there would be a built-in incentive for that county board that's making the decision to turn down those requests for waiver?

SENATOR HALL: Well, the off-the-cuff response would be not one that was interested in being reelected. But I would think, Senator Withem, that that is a very good possibility. I mean, I don't know that county boards would look at it in that vein but they would have the ability to do that. And I think the argument that was made in Exec Session, and I don't mean to take too much of your time, that the county board just in order to not run into the problems of being lobbied one way or another or treating Joe different than they do Sam would just take a standard approach to it and say, we're either going to waive them all or we're going to make them all pay the penalty and no