

actual claims themselves, I think are handled strictly as deficits and we do not appropriate an amount until they come to the claims process through the Business and Labor Committee and enacted on the floor. So I...I may have to be corrected on that but I don't think we actually do appropriate an amount there. We wait and it is handled as a deficit. We appropriate the dollar amount that we know is due.

SENATOR BERNARD-STEVENS: Then, Senator Moore, one final question. As we in the body look at the overall monies that we're spending on A bills or on as the budget comes through again with the Governor's initiatives and the deficit appropriation process, where would something like this, where would we be able to take this possible amount of monies, unknown as it is, into consideration or would that simply be something beyond what we're going to actually spend and if there are then monies that will come through later as a deficit, it will be over and beyond what we already know that we spend.

SENATOR MOORE: Well obviously in a given year you would go into a session, you'd know what the claims are filed in the previous year and those would be deficits that arguably would have to be paid and so they would go first in line. Now as far as your question as how it would affect this year, is that your question? And I guess my argument is at this point in time this bill would have no impact on the fiscal process this year, but in years to come if this bill was in order, the court did award such claims, those that come through our deficit process and arguably those would be...come in the have-to column and have a top priority over any of the type of initiative you just spoke of. So in that case they would be first in line because we have a legal responsibility to pay those arguably.

SENATOR BERNARD-STEVENS: Thank you, Senator Moore. Senator Owen...Owen, if you'd answer just question for me.

SENATOR ELMER: Certainly, Senator.

SENATOR BERNARD-STEVENS: Based on the research that you and your staff have done on this bill, and given the past history...

SPEAKER BAACK: One minute.

SENATOR BERNARD-STEVENS: ...and also understanding that we don't know what the Supreme Court would do if a case came before