

increases the amount of attorney's fees from 500 to 2,500 that can be awarded in these cases. The current figure was set in 1965, hasn't been changed since that time so I think it's a little bit outdated. It also applies some restrictions to the court's ability to interject themselves in the legislative contest proceedings. And I think this is something that we found, as we worked our way through the process, you had the courts making some ruling and stuff that tended to delay the process. We need to restrict that ability of the courts to do that because this is definitely a legislative decision. Constitutionally, we do have the authority to make the decision on who is seated in the Legislature. This kind of takes the courts out of it just a little bit. And the last thing that it does is it changes the bond level. It says that the...the clerk may set...the bond would be at least \$10,000 and the clerk may adjust that as...if the contest starts getting more expensive than that, the clerk may adjust that bond and it gives him some flexibility to do that to reflect the actual cost of what's going on with the state. Those...those...I think that pretty well explains all of the things that the bill does. I would be happy to try and answer any questions if I could.

SENATOR WARNER: Senator Wesely.

SENATOR WESELY: Thank you, Mr. President, and members, I guess, I would ask Senator Baack just a couple of questions. First off, on the bond level, how was the 10,000 determined? As I recall, the cost of the last contest, I'm not sure how much that amounted to, or the one before that with Senator Conway. I...do you know, how did you arrive at the \$10,000 figure?

SPEAKER BAACK: Well, the \$10,000 figure, I think was simply put in place because that's probably the least amount you're going to...I mean, any...any contest is probably going to cost that much, any...any...if it's any kind of a lengthy contest. I think in the Conway...in the Conway case it was almost \$10,000 that the state would have been out at that point. In this one, I think it's higher than that. So I think that this...this is simply, it's mostly for protection of the state in this case, so that to make sure that there is enough money available so that we are protected in this case.

SENATOR WESELY: I guess...I guess I may have been misinformed but I thought with the Conway situation there was a \$2,500 assessment against the challenger and I understand there was no