

reasonable classification. But in essence we're talking about Commonwealth in this bill so I am going to deal with it on that level. We're contemplating in this legislative session making a payment to the Commonwealth depositors to settle the tort claim. I suspect and I think you know that that tort claim maximum potential liability settlement figure will be about \$8.5 million and I repeat, I repeat and I repeat, about \$8.5 million is the maximum legal claim that this Legislature can pass, get approved by a court and get to the Commonwealth depositors, about \$8.5 million under the Constitution, under the statutes, under the court interpretations of legal liability, so on. This Legislature not too long ago settled on a concept of giving them \$20.5 million. I think from legislative debate, from discussion there is no doubt that that was the figure projected that might be able to be settled under the tort liability theory. That means that if they're going to get the other \$12.5 million to total \$20.5 million they are going to have to get it under some other theory such as public purpose, miscellaneous claims and I guess I personally, will repeat, I believe a miscellaneous claims is going to be blatantly unconstitutional for the other \$12.5 million. But, the purpose of this bill is to make sure that whatever money they get in whatever form is maximized. How does it do that? It tries to establish a mechanism so that the delinquent property taxes associated with this property will not have to be paid. In other words, it uses a constitutional provision and then a legislative enactment that in this particular situation would allow this property to beat the back property taxes. How much are we talking about? Depending upon who you want to believe on any particular day, I guess it amounts to somewhere between \$2 million and \$5 million, the 5 or 6 million dollars I guess it's getting up to now involves taxes and special assessments. What portion of that would be strictly taxes, I guess I don't know. I'm going to guess about... I'm going to guess \$3 million. So you'd probably be talking about a \$3 million ticket item. Now let's imagine just for the sake of discussion here, let's imagine that the Commonwealth people receive \$8.5 million from the state, and I repeat, that's the maximum amount they are going to be able to get under that tort liability theory. If they turn around with their \$8.5 million and immediately pay out 6 million or 5 million in taxes and special assessments, they really haven't got much left and I'm not sure they are any better off by any significant amount than they are now.