

we have balance, but if we don't like the way things are, don't go by the rules, change the rules. So I would urge the body to kill this bill. It may have even been initiated by the World Herald for all I know. It certainly sounds like there went one of their ideas. Thank you.

PRESIDENT: Senator Lamb, do you wish to speak again?

SENATOR LAMB: Well, Mr. President and members, I guess I'm a bit confused because I agreed to Senator Higgins' proposal that someone else besides the State Auditor or the State Treasurer be appointed to this board. Two people appointed by the Legislature would be perfectly acceptable to me. I'm not trying to make this a partisan thing although I think I hear that from some people. All I am saying is that a State Claims Board is a very important board and there should be more people on there than just three people appointed by the Governor. They should be coming from a different direction. If you want to put two people on there that are appointed by the Legislature I'll support that amendment, but I think it is good public policy to have a broader representation. So I would urge you to defeat the kill motion at this time.

PRESIDENT: Senator Beutler.

SENATOR BEUTLER: Mr. President, members of the Legislature, this is really more serious than I thought because contrary to the representations that are being made to you today, this is going to have a dramatic effect on how the board operates and let me tell you how. There are two major sections that the State Claims Board deals with. One is called the area of tort claims and the other is called miscellaneous claims. From our Commonwealth experience we know that there were two claims filed on Commonwealth. One was a tort claim. The other was a miscellaneous claim which we more often refer to more specifically as a contract claim, but with regard to tort claim that whole area, and I'm not sure yet what the situation is with miscellaneous claims, I am trying to track it down. But with regard to tort claims it says in the statutes, "If any tort claim is compromised, settled or allowed in an amount of more than \$5,000 the unanimous approval," okay, "the unanimous approval of all members of the State Claims Board shall be required." All right, it doesn't take...any dummy can recognize that if you are changing the Board from three to five, getting unanimous approval on a claim is going to