

debating it on General File and in visiting with many members of this body, that this is the limit. The Legislature will not go beyond this particular figure. I can support the amendment because the miscellaneous claim is now stricken. We have a legal basis for what we are doing. I think it is in conformity with the majority opinion of the Special Commonwealth Committee. It is in conformity with what Special Assistant Attorney General David Domina has told this body. It is in conformity with what Special Assistant Attorney General Ed Perry...

SENATOR LAMB: Thirty seconds Senator.

SENATOR BARRETT: ...has told this body. The tort claim has some settlement value, the miscellaneous claim is weak and the estimated liability is zero. I would urge the body to adopt the Johnson amendment. Thank you, Mr. President.

SENATOR LAMB: The Chair recognizes Senator Beutler followed by Senator Schmit.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I guess I would oppose the amendment not only because it reduces the claim to \$8.5 million, which is too low in my opinion, but also because it seeks to take that amount out of the reserve fund. You may recall that when the second set of committee amendments, the Appropriation's Committee budget amendments were adopted, budget cuts were adopted, almost a third of that package was a transfer from the reserve fund, \$5 million was transferred from the reserve fund to the general fund with the proviso that it was to be repaid July 1 of next year. Senator Johnson, as he indicated, has followed that example and is taking another \$10 million out of the reserve fund to be returned July 1st of next year Senator Johnson? \$8.5 million to be returned July 1st of next year. So now we have a total of \$13.5 million that we are obligated, that we will be obligated to return to the reserve fund by next July 1st. That means essentially with regard to the payment of the Commonwealth claim that you are saying that you want to pay it all in one year and by July 1st of next year we have to own up or make good on that payment. I mean we make good in September to the depositors but then we have to do our own internal accounting and come up with that extra money by July 1st when we have to pay back the fund. Now what all that means is you all can do what you want but all that