

funds to implement 994, does the Department then have the ability legally to find that \$30,000 somewhere else and go ahead and implement parts of it anyhow?

SENATOR SCOFIELD: Where we have specifically said thou shalt not do something, shalt not be done.

SENATOR VICKERS: Okay, well isn't that what this says? Thou shalt not?

SENATOR SCOFIELD: I think you could interpret this kind of a program broadly and under enough of the kinds of broad general responsibilities that the Department has that it could be easily taken and continued under a number of their other umbrella responsibilities, program 508, there is room to do that.

SENATOR VICKERS: So if this amendment fails, then what I'm trying to do is establish enough legislative intent that it is the Appropriations Committee's intent that they can go ahead and find the \$30,000 and do it anyhow. Is that what you are saying?

SENATOR SCOFIELD: There have certainly been instances where an agency comes in...

SENATOR VICKERS: I'd like to have a yes or no if I could.

SENATOR SCOFIELD: Certainly have been instances where an agency has come in and said we decided to do this anyway and that's all I am saying. It's not our intent necessarily that they do this, but I suspect that the fact it's under way that they will probably, in fact, do it. I cannot speak for any other member of the committee as to what their intent was. If was clearly our intent that 994 should not continue at this point.

SENATOR VICKERS: Okay, thank you. I don't think I got the answer that I was searching for from Senator Scofield. If I were at the Department of Education, I would say, we're not going to do it because it wasn't the intent of the Legislature for us to do it. That's part of, quite frankly, my problem with this whole appropriations process. If, in fact, you believe that a department can ignore what it says in the budget bill and go ahead and find the funds somewhere else, then I guess I don't care whether you vote for the