

have this antiquated doctrine in the area of discretionary acts. The lawyer for the Commonwealth Committee says that is a legal technicality, I don't think that you can get around that, and therefore the liability, his judgement on the liability, is low. But I say to you that it's not our job to simply accept a lawyer's attitude about a legal technicality. We never have in the past. You're going to have to explain to your own conscience why you are treating...why this Legislature is treating this case differently than it has treated hundreds and hundreds of miscellaneous claims in the past. I think it is nonsense to say that you have to look at it narrowly, like a lawyer or like a judge. Even though this is improbable, I suggest to you that the language is a little loose, that the court could approve of \$25 or \$30 million as well as a lower figure, although I guess everybody assumes it would be a lower figure. But with that, Mr. Speaker, I would close.

SPEAKER NICHOL: Senator Landis.

SENATOR LANDIS: I call the question on the Hannibal amendment.

SPEAKER NICHOL: The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

SPEAKER NICHOL: Debate has ceased. Senator Hannibal, did you wish to close on your amendment please?

SENATOR HANNIBAL: Mr. Speaker and colleagues, I will try to be brief. I need to make sure you understand why I offered the amendment and what the implications of the resolution are in my eyes. First of all, I do want to clear up what I think might have been one misunderstanding. Senator Higgins suggested that I didn't think there was any morality involved in this issue. That was not my intent. If I gave that impression, I certainly didn't mean to. What I tried to say, and what I thought I had said was dealing with moral obligations that we have a moral obligation to all citizens of the State of Nebraska, not just the Commonwealth depositors. There are moral obligations with all of our constituents as well. If I suggested that we were being immoral not to settle this claim, I would apologize for