

**SENATOR DECAMP:** Mr. President, this will probably be the shortest talk, at least at this point on this issue, that I'm likely to give on a major issue. The amendment settles the amount at \$8.5 million based on the tort liability that's been approved by the court. And if you want to deal with the other matter of \$12.5 million, I think it should be dealt with completely independently, separately on its own merits because it is completely different than the original proposal and plan we talked about. What we talked about in the Legislature was the liability. A settlement has been reached on that. No one admitted liability as is proper in a settlement and this is the maximum amount the court and the various parties could reach on the liability issue. As I say, you can deal with all the rest separate, but I think this amendment should be adopted.

**PRESIDENT:** Senator Wesely, do you wish to speak on the, just this DeCamp amendment? Senator Haberman, your light is on.

**SENATOR HABERMAN:** Mr. President, members of the body, I don't know who created this monster we have before us because it's the greatest maneuver to circumvent the Constitution I've ever seen. So I'll give the proponents credit for that. However, due to what has happened to LB 713 and even Senator DeCamp's amendments especially, it is more critical than ever that we do not advance 713. Some of the reasons, back in February 1 of 1985, Mr. Beverage was quoted as saying with Governor Kerrey's help the Legislature agreed to a 20.5 million settlement. I don't remember doing that. On February 1, '85, Mr. Beverage was quoted as saying, it is in his honest opinion that reorganization is the best way to proceed and we've completely forgotten that. On June 7, 1984, Governor Kerrey is quoted as saying that he is not altogether pleased with the extent of which they, the committee members, passed the question of liability and that is the central question. Liability is the central question. That is a quote of Governor Kerrey. Now, the judges have concluded that the proposed settlement is fair, adequate and reasonable. That's what they said. It didn't say anything about being liable. It didn't say anything else except that it's fair, adequate and reasonable. To go a step further, Senator Wesely is quoted as saying that this \$3 million that we're going to use to repay a bond, more funds will be needed the