

PRESIDENT: Senator DeCamp.

SENATOR DECAMP: Mr. President, Senator Beutler stated that the court found the state legally liable. I do not recall that as occurring, and if that's the basis that we're going on, I would like to know where in the court order or in anything else the state was found legally liable. That was made an absolute assertion of fact. All I ever recall the court doing is saying, you've got a squabble, the maximum amount, because there is such a thin chance of anybody being found liable, I mean the state will approve up to 8.5 million because both sides have agreed and all the court is doing is saying, is that reasonable or unreasonable. Would you please show me or read for me in the opinion where the state is found legally liable?

PRESIDENT: Does anyone else wish to speak? Senator Haberman, you may close.

SENATOR HABERMAN: Mr. President, I guess it's time for me to become slightly angry. This says the regulation of Commonwealth Savings Company by the department pursuant to state law was inadequate. I want to change it to questionable, but what has happened to NDIGC? They don't say anything in here about that. They're saying the Commonwealth Savings Company, the regulation of the company and it was NDIGC that everybody started out hollering about and I'm going to tell you something else. First of all, hindsight is always the clearest. There are at the present time, members of this body, financial institutions that are in violation of the law. The Governor and the Banking Director know this and have known it since January and to this day nothing has been done. So if you want to get into a fight over the Governor wants this and Banking Director says that and tort claim says this, we'll get into a fight before this session is over because I'll call and bring on the floor that information and then see how you feel about it. That's right. If you're going to nit pick when we tried to say what is the truth and you try to put in there something that isn't the truth, this is the time to say, hey, wait a minute, just a minute, you're questioning my credibility and I don't like it. So all I am saying is, let's don't say the state was inadequate. I'll settle for the word questionable because it was questionable. It was a judgment call on the NDIGC. It was questionable. Now if