

against, depending on whether you feel the Commonwealth depositors should have an opportunity to have this issue voted on this day or not. If you support Senator Haberman, you are willing then to emasculate something that we have worked for for a long, long time to try to resolve. I thank you, Mr. President and members of the Legislature, for your attention.

PRESIDENT: Thank you, Senator Marsh. Before we go on the Chair would like to announce that Senator Lowell Johnson has 50 seventh and eighth graders from Trinity Lutheran School in Fremont in the south balcony with their teacher along with them. If you'd stand we'd like to recognize you and thank you for coming down to see your Nebraska Legislature. Senator Beutler, do you wish to speak on this Haberman amendment? Then Senator Vard Johnson, Senator Wesely, Hoagland and Smith.

SENATOR BEUTLER: Mr. President, members of the Legislature, just so we're all quite clear in our minds as to what this does, basically, we're about to argue for the third time today the DeCamp amendment and the Beutler amendment I guess because essentially he is wiping out of the bill or nipping out of the bill the reference to the miscellaneous claim, the result of which would be that you're back down to the \$8.5 million tort claim. The difference between this and the DeCamp amendment is that Senator DeCamp had a whole number of auxiliary provisions which at least would have allowed you to implement an \$8.5 million claim. What Senator Haberman has done is just nipped out of the middle, with his little axe, the language about the miscellaneous claim in one place. In many, many other places in the bill the language about the miscellaneous claim is retained. So what you have if you adopt this amendment is a bill that is a mess and a bill that essentially is in...would be in a position again of not being acceptable to anybody. So this is an amendment that is very important. It would essentially kill the bill and I hope that we need not get into a long third debate on the same question of the tort claim versus the miscellaneous claim, but I wanted to be sure that you understood the significance of the amendment. I would ask that you not adopt the Haberman amendment.

PRESIDENT: Senator Vard Johnson.

SENATOR V. JOHNSON: (Reply inaudible.)