

settlement that gives them \$8.5 million. Now, if we don't appropriate the money or pay the claim it is my belief that a court will order it one way or another; \$8.5 million, however, I'm satisfied is the most, the most that can be legally justified at this point in light of all that has occurred. It would be something like this, no it would be identical to this. Rex has a car accident. Somebody runs into him through a stop sign. Rex files a lawsuit. You go to the court. Both lawyers get together, Rex says I signed away, I had a thousand dollars in medical expenses, I had my car damaged to the extent of two thousand dollars, they say they are not liable, they say I was at fault. Rex...the other side denies it. The insurance company steps in and they say okay, we will stop the lawsuit, both sides sign and say, nobody is liable, we deny liability blah, blah, blah and we give you \$1,250. Rex signs his rights away. The other side signs a settlement, that is exactly what occurred. You should be aware of that fact. For \$8.5 million, and I think, I think the whole thing was mishandled from the beginning, I'm not going to go into that now, for that amount the rights were signed away. That was why I sought through every means possible, during the past 18 months, to come up with funds for Commonwealth under other theories, whether it be a public purpose theory, whether it be reinstating the NDIGC and making it apply across the board to all institutions when in fact it would apply only to Commonwealth. Whether it be any of these variety of things that would have got them some additional funds. Those were all rejected. A couple of them by as little as oh one or two votes I think last year. Now, you are at a point, as I say, where the settlement has been signed, and it is time simply to pay the \$8.5 million. The additional thing then becomes how do you pay it. Well, the insurance company can go out and borrow the money, because they have money they use their resources. I suggest that we use our resources, whether it is out of the general fund or cash reserve fund, pay the thing and cry. Cry for them, cry for the whole situation. I repeat, had it been done differently maybe we wouldn't be here. Had a lot of things occurred it wouldn't have been here. They didn't. We are here. I'm not sure that anything else can be done. I would ask you to support the amendment and get it paid and get this over with.

SENATOR LAMB: Chair recognizes Senator Barrett followed by Senator Beutler.