

roster. The Chair recognizes Senator Wesely.

SENATOR WESELY: I'll try and get by as best I can. Mr. President, members of the Legislature, Senator DeCamp, just a question. You are not withdrawing the amendment, but you are holding it here in position until another amendment is drafted. Am I correct?

SENATOR DECAMP: Senator Wesely, at the committee hearing I said my real preference, first preference would be to put word for word, settlement language from the court. I still would like to attempt that first. I still, when they bring that down, would offer that. Mine is a synthesis or a summary of that.

SENATOR WESELY: Okay, fine. So, basically, we are debating...we don't really need to debate LB...or the amendment on page 51 because ultimately there will be another amendment which we'll be discussing first. So let me just comment a bit on the situation, a little bit on the background. I was on the committee that had the hearing. Senator Barrett unfortunately is not here. I wish he was here to share his perceptions. I think you'd find them interesting because I did have a chance to talk with him before he left. My perception of the hearing was, obviously, it was very tense, it was very unfortunate and unpleasant. There are a lot of hard feelings about the issue of Commonwealth still months after we debated it last session. If you think the intensity of feeling is high in this body and at that committee hearing, you can imagine what the depositors feel at this time as they look at the possibility of jeopardizing even the \$8.5 million they were counting on, and look now at two years without getting any money out of their savings over there at that institution. So there is intensity. There is hard feeling, there is great concern about this issue. I think we ought to take a step back and think through exactly where we are at with it. Last session we came in, in January, with a \$20.5 million settlement plan. That plan was then broken down into two different claim proposals. One was a tort claim, the other was a miscellaneous claim. The \$8.5 million tort claim was an attempt to settle the legal liability of the state, that is to say the court, the district court met with the receiver and the state, they worked out a legal obligation of \$8.5 million and said this will end the matter in terms of our legal obligation, and they signed a settlement