

or her own money and then...I would presume yes. But what if one of them holds out and says no, I won't sign, I won't settle, I won't release. Can they be the funnel through which an entire new legal claim can be brought against the State of Nebraska, just because one of them didn't sign, or more of them didn't sign? Those are the kind of things that are bothering me right now. I'm just curious if the legal experts in this body would care to comment on these points.

SENATOR DECAMP: Mr. President, using his time, I'll try to answer very quickly the questions he raised as I see the answers. Number one, the question was substantive and appropriative language in the same bill. That is a violation of the Constitution. There are repeated Attorney General's opinions to support it. That is the real reason I believe 713 was in trouble, because it was substantive and appropriative language in the same bill. If the Attorney General had ruled, for example, by his interpretation that the four words didn't need to be there because the intent was there, then he would have been in the other box, the other horn of the dilemma, which is the bill is unconstitutional completely because it does substantive and appropriative. Therefore, by ruling that that one portion was invalid, so to speak, because the four words weren't there, he could rule the other half, which transferred the money, the substantive law, was valid. Then the idea was all you'd have to do would be to come in the Legislature and do the appropriations portion of the bill. So in doing anything I think we should make sure we don't get crisscrossed on substantive versus appropriative language. To point that out was why I introduced LB 5 whenever it was, Sunday morning at one o'clock in the morning, or twelve-fifty-nine, or whatever, to point out that the real flaw in 713 was probably a constitutional flaw of having substantive and appropriative language, and maybe we should be open and honest about all these things and deal with it from that perspective. The second question you raised, was a later claim by any individual member of Commonwealth, any individual member of the State of Nebraska or the planet Earth, in fact, can come and file a claim before the Claims Board of the State of Nebraska. The validity of that claim, of course, is the thing that has to be decided. I want to clear up the ability of anybody to ever collect on those claims, on any legal basis, by saying we are not legally liable and the Legislature officially making that finding. I think you can say that that doesn't bind future