

SENATOR COORDSEN: Thank you.

SPEAKER BAACK: Senator Schmit, I have ruled that it is divisible at that point. Do you know where he is dividing it? Have you...

SENATOR SCHMIT: Would you repeat it for me again, please.

SPEAKER BAACK: The division would occur on page 1 at line 20. From line 20 on would be one section of it that deals with changing of statute and the other part of the amendment would be lines 1 through 19 on page 1 that talked about paying the \$30 million claim.

SENATOR SCHMIT: Mr. President, I will address the first part of the issue first, page 1, those lines you identified.

SPEAKER BAACK: Okay, we will deal with the first half of the amendment. Senator Coordsen, did you wish to speak to this first half then?

SENATOR COORDSEN: I'll pass for right now.

SPEAKER BAACK: Okay. Senator Landis, we are speaking to the first half after the division. Did you catch the division of the question? The division occurs at line 20 on page 1. We are discussing lines 1 through 19 of page 1. It is actually the \$30 million claim.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, I rise to speak in favor of any system by which we can with an open legal question, and not a closed legal finding, proceed with an assumption of a constitutional method to pay the failed institution depositors what they are rightfully owed. We have had some experience with the use of our claims mechanisms in the past. We have made an \$8.5 million payment basically in settlement of a claim, but that claim was based on the actions of our Banking Department prior to the creation of the receivership. This tort claim rises out of the behavior of the receiver under the discipline and authority of the state after the institution had been closed and with the impact that it had in the distribution of assets. Frankly, there are some open questions here. Number one, why \$30 million would be right and its justification. I think it is certainly possible that we