

SPEAKER BAACK: Thank you, Senator Nelson. Senator Crosby, you are next.

SENATOR CROSBY: Thank you. I will just say a couple more things, and then, Senator Schmit, if you'd like the rest of my time, you may have it. Senator Coordsen brought up the Supreme Court case that was just recently ruled on. And all I want to say about that is I still don't know who Gayle Haman is in Omaha. I hope she can sleep at night, because I wouldn't be able to if I had brought that suit against these people. Why in the world she got up some morning and thought, well, I'll go out and get those depositors. Nobody would do that. There is someone behind that suit who was either looking for a fee, shall I say. I am the only one in the Appropriations Committee who voted against the resolution for the lawyers fees that have to be paid in that case. And as far as I... So I will say it again, I hope that Gayle Haman can sleep at night, because if I were she I would not be able to. I still think the depositors need relief. I will support this amendment. And, Loran, if you'd like the rest of my time, you may have it.

SENATOR SCHMIT: I just want to suggest this and I appreciate the remarks of Senator Coordsen. As usual, many of those remarks are right on target. I want to say this, however. We are now in session. The Tort Claims Board has had three months upon which to act on this claim. They have said publicly in the newspaper that they do not act upon claims, I believe, in excess of \$5,000. They automatically reject them. Now they do have a responsibility to review the claim and make a recommendation, but certainly they are not that busy that they couldn't have acted on that now knowing the situation that exists in the case of Commonwealth depositors. Secondly, this process is open and available to all. In the second part of the amendment I make a provision that all claims above \$5 million go directly to the Legislature to be handled in this manner. And, Senator Coordsen, it does treat all Commonwealth depositors exactly alike. It does not address the American Savings problem nor the State Securities problem, but those depositors have available to themselves the opportunity of the tort claim and I will be the first to support their position should they wish to file such a claim and I have so indicated to their attorneys and to their representatives. And so I would suggest that we have to deal with the Commonwealth first. Let's deal with Commonwealth now and then we can address State Securities and American Savings also. I also want to ask you this, Senator, if Senator Coordsen