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SENATOR WEHRBEIN: That's a possibility, yes.

SENATOR CHAMBERS: Could the Legislature make a determination that there will not be an appeal? We have that power, don't we?

SENATOR WEHRBEIN: I assume to a degree it would be ours versus a constitutional officer's judgment. I assume that it's discussible. I don't know who wins in those cases.

SENATOR CHAMBERS: Thank you, Senator Wehrbein. Members of the Legislature, I think this case...what I have to say now has nothing to do with my conversation with Senator Wehrbein. He happens to be the appropriate...the Appropriations Committee Chair so that's why I was asking him those questions. I think this case has been handled horribly. I think tremendous incompetency has been involved in this matter from the very beginning, even before the litigation. I believe there is culpability on the part of various Nebraska state officials and if this action is allowed to go on and on for political reasons the state is going to go deeper in debt. If somehow Nebraska wins, the other side probably would appeal. But if Nebraska loses and an appeal is taken, you can expect this \$100 million to skyrocket because there are going to be additional legal fees. If the legal cost has been \$13 million to date and there has been no trial, get ready for something that will be staggering. The Legislature, if a judgment is handed down, is going to have to come up with the money to pay that judgment. You are looking at tax increases if you combine that with the circumstances, gloomy as they are, which Senator Wehrbein presented to us today. If the trial takes six months and if there is a period of time before the judge announces a decision, within a 12-month period we may be looking at a resolution of the case at the trial level, and some decisions are going to have to be taken. These are the kind of matters that many of my colleagues don't want to pay attention to, do not want to discuss, will feel they are unimportant and the Legislature should take no interest because the matter is in the hands of the Attorney General. When the piper must be paid you are going to be involved and I believe we ought to be giving some consideration to what our options are if the state loses. There is nothing that beats preparation. There is nothing which can