

May 11, 1981

LB 548

SENATOR CLARK: We have an amendment to the committee amendments.

CLERK: Mr. President, Senators DeCamp and Howard Peterson move to amend the committee amendments with respect to Claim No. 039, Joseph J. Soukup Trust Fund, strike \$30,000 and insert \$50,000.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Legislature, the Joe Soukup story has been told and retold, heard and reheard so many times that I do not want to expend any significant amount of time on it. Suffice it to say that in all of the settlements and discussions on this matter the minimum amounts we always talked about were either 80 or 100 thousand, something like that. Therefore, to make it \$50,000 does not seem even slightly unreasonable and maybe not reasonable enough. But it is an acknowledgement that here was a person that by every standard there is we did a lot of damage to him as a state, and I think we have to establish the precedent that we have to make up for these errors whether it be the LSD testing he was used for as a guinea pig, whether it be the damage to his feet that was caused, whether it be the illegal holding of him for any number of years after he should have been released, so on and so forth. As I say, I don't want to spend two hours or an hour reviewing the case because I think every member has had ample opportunity to review it. Do remember this, that in the past the Claims Board simply rejected it. When they finally had the facts and realized...and realized that we were serious, that there was something that needed to be corrected, the Claims Board finally came around and they said, yes, damages should be paid, something should be done, and they simply left up to the Legislature the amount. Now I am suggesting \$50,000 is a reasonable amount. I talked to Senator Peterson who has worked on this at great length. He can talk for himself, of course. He says it is maybe a little low, but it would settle the matter and I would urge you to adopt this amendment to the amendment. It is not that big a change.

SENATOR CLARK: Senator Maresh, did you want to talk on the amendment to the committee amendments?

SENATOR MARESH: Yes, Mr. President, I would like to call attention, in the handout material there was a typing