

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 272A.

CLERK: Mr. President, 272A, I have no E & R amendments. I do have an amendment pending by Senators Landis, Schimek, Chambers, Warner, Wesely, Hall, Labeledz, Crosby and Lynch.

PRESIDENT: Senator Landis, are you going to handle that? All right. (See amendment found on page 2537 of the Journal.)

SENATOR LANDIS: Mr. Speaker, members of the Legislature, this amendment, which appears in your Journal at 2537, is a \$33 million bill. It takes its appropriation over two years, about \$16.5 million in each of two years. It is for the reimbursement of depositors at American Savings, State Securities and Commonwealth. It's my hope that we will not burden the body with a lengthy debate and that we can dispense with this issue before twelve, noon. The case for these institutions has been well made, and I know that there are those who oppose them as well. In this period of time, that we call the crunch time, the Legislature ultimately sets priorities. And I ask you to look at the people to whom this state has turned with a welcome and supportive eye. They have included a great many people on the green sheet, lots of individuals in need, certainly, lots of institutions which want to expand their bricks and mortar, a lot of programs that want to expand their budget. I do not decry the people on the green sheet, they represent human need in many forms. But there is no place on that sheet that I can identify that the human need is as crying, as legitimate as the suffering of the people who have had their life savings defrauded from them over time through these financial institutions and through the negligent management, in my estimation, by the State of Nebraska. There can be no doubt, we are not under a court order, we are not obligated to pay this money under a court direction. This Legislature has repeatedly in the past chosen, however, to appropriate money where need existed without a court order. We've certainly done it when there was no chance of state liability. In the case, for example, of Joe Soukup, where several years ago with an individual who we had hospitalized and treated with experimental drugs, and basically continued them in an institutional lifestyle without proper authority, where the statute of limitations (inaudible) and Joe had no legal right to pursue the State of Nebraska for recourse, this Legislature voted recourse