

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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**SPEAKER KRISTENSEN:** Thank you, Mr. President, members of the Legislature. It...any time you enter into the arena of court, there are no givens. You could...you could have this family who could, you know, a mistake could get made, a witness could die, you could get a jury that was not sympathetic, you could get a jury that says they're just trying to get taxpayers money, I mean, you really...well, this would be a tort claim, so you wouldn't have a jury. But you could have a variety of things go wrong in a trial. And I'm going to oppose Senator Chambers' amendment, and not because I don't want to give those people more money, but this morning we talked about precedent. And if you're going to give people more money than what they've agreed to and what they've asked for, aren't you going to, in every other case, say, well, you know, let's settle for this, and then I'm going to go lobby the Legislature to get more money, because they're really good and decent people. Well, most of you are good and decent people, there's a few of you that aren't...I'll give you time, yeah, sure. But that happens anyway. I got to tell you I just think it's a prece...I think we ought to...if the families agreed to this figure and they're comfortable with it, and I think that they are, would they like more, sure they would. They know there's the risk and you've got both sides there. I'm going to oppose this simply because at this point I don't think it's a very good precedent to give them more than what they settle for. Senator Chambers, you asked me for time and I'll give you the rest of my time.

**PRESIDENT MAURSTAD:** Senator Chambers.

**SENATOR CHAMBERS:** Mr. President, I withdraw that amendment.

**PRESIDENT MAURSTAD:** The amendment is withdrawn. Further discussion on FA139? Senator Hilgert.

**SENATOR HILGERT:** Thank you, Mr. President and members. I do...the committee clerk was kind enough to provide me with a transcript of the testimony regarding these claims. And in all fairness, when I said that it was somewhat premature that the claims weren't ready yet, that certainly...it seems was the case. The testimony I'm reading from Mr. John Thompson was we're waiting for approval from the district court, and as soon