

February 23, 1973

(Start of Belt #11)

former Senator Arnold Ruhnke and he says, probably, we could provide this in LB 487. Is that your opinion, that this could be....

SENATOR LUEDTKE: What bill? This is not 487.'

SENATOR MARESH: No, but I say, if we don't include them in this, could we include them in 487?

SENATOR LUEDTKE: Well, I hate to argue that bill because that bill is going to be coming up, I think, before my Committee and I'd just as soon not argue it here on the floor.

SENATOR MARESH: But...

SENATOR LUEDTKE: I have a per personal opinion about that bill and about all those types of bills. If they will just get an opinion from the County Attorney or the Attorney General as to the affect of the State Tort Claims Act and the political subdivisions Tort Claims Act, I don't think they've got a problem...the problem they think they've got.

SENATOR MARESH: Yes. So you don't think there's a problem...

SENATOR LUEDTKE: They are already covered under every which way, under the Tort Claims Act. The only people that are not covered are the members of the Boards, the individual liability of the members of the Boards which we are talking about here this morning.

SPEAKER: Thank you. Any further discussion of the Carpenter amendment. Senator Hasebroock, did you wish to be heard on the amendment?

SENATOR HASEBROOCK: Mr. President and members of the Legislature, I would like to rise in support of Senator Carpenter's amendment. I think it's very necessary. I happen to know that right now in the city of Omaha that there is a school board having been sued for some reason or other. I am not at liberty or I don't know enough about it to state why, but each one of these school board members should have some protection. I am not sure whether they have or not, but I do think this shows very definitely and it comes that we are aware that this is going on. There should be a protection to these people.

SPEAKER: Any further discussion of the amendment. All right then, Senator Carpenter, do you care to close on your amendment? Excuse me, Senator Anderson, did you wish to be heard on this amendment?

SENATOR ANDERSON: I'd like to ask a question of someone. Perhaps, Senator Luedtke could answer the question if he'd yield.

SENATOR LUEDTKE: All right.

SENATOR ANDERSON: And this would be the extent of coverage. We are talking about governing boards, would this go all the way down to townships?

SENATOR LUEDTKE: Yes.

SENATOR ANDERSON: Then we are saying...we would be saying, then, with the adoption of the Carpenter amendment that we are going to require a township to have this same type of liability...

SENATOR LUEDTKE: Well, they wouldn't need the same type, obviously, because they don't have the same potential coverage that a school board member would, say in a large city. I think that the policy what he is saying is though that they..that the township board should cover them for any personal liability. Yes.

SENATOR ANDERSON: I am really wondering, in a case like this,