

the settlement, paid the claim because of another provision called indemnification that says the subdivision will indemnify their employees from these kinds of claims. Now all that LB 258 is doing is saying you can't do that anymore. If you are going to sue the subdivision because one of its employees wronged you, whether it be property damage or personal injury, if you're going to sue that subdivision and the employee is part of that subdivision, then sue the subdivision and sue the employee as part of it, but don't wait purposely or inadvertently beyond the time of the law that affects the subdivision, don't wait for that time to pass so that you can cause personal trauma, so that you can use pressure because of that personal trauma against an employee to be able to gain maybe better settlements; so that the trail of evidence of what action took place in the accident has a chance to cool for two or three or four years; so that you can keep the subdivision without any knowledge of what possible liabilities are out there; so that you keep this subdivision from having more problems collect...obtaining liability insurance because of the indefinable risks.

PRESIDENT: One minute.

SENATOR HANNIBAL: We are saying, if you are going to sue the subdivision because of a wrong action caused by the employee, then do it. But don't try to subvert the process, don't try to go around the process to help your own personal gain through a, what I would call, an error and omission in what happened two or three years ago and what is wrong policy. Senator Chambers has some major problems with all of our statutes of repose and all of our statutes of limitation and that is a philosophical argument that I may in some cases agree with him. In this particular case we're just bringing things into the same playing field and it ought to be passed. I would oppose the indefinite postponement.

PRESIDENT: Thank you. May I introduce some guests, please, of Senator Hefner in the north balcony. We have ten seniors from Coleridge High School and their teacher. Would you folks please stand and be recognized by your Legislature. Thank you for visiting us today. Senator Rod Johnson, we're back to you. Senator Schmit is not here.

SENATOR R. JOHNSON: Mr. President, members, I think that Senator Hannibal hit the nail on the head as far as philosophical differences. I don't know of anyone in this body has ever had need of using laws such as this against a political