

subdivisions are able to take care of their own insurance needs, but they are opposed by the insurance companies, that indicates that so many complex issues are involved in that discussion that it should never be injected into something, in my opinion. That is why I asked that other question because I want us to stay on what it is I am opposed to.

SENATOR HANNIBAL: I am aware of a bill and I think it is still held in committee. I have nothing to do...I don't even know for sure what it says.

SENATOR CHAMBERS: Okay, thank you. I wanted to clear up that on the insurance, but here is a rhetorical question. When a citizen is hurt, and I would hate to have us react only if it is a personal situation, but as Senator Johnson points out, that brings it home with an acuteness that otherwise wouldn't be there, but when a citizen is hurt, who is the victim? Is it the citizen who has been harmed through a wrongful action of the employee of a political subdivision, or is the political subdivision? Are you going to say that the person who was hurt should not have been there, therefore, he or she victimized the political subdivision; he or she should have foreseen that a fire department was going to build a station, the landscape would be improperly done, and their house would be affected by water running under their foundation, and because they didn't foresee that, they should suffer and they are making a victim of the political subdivision? That is what is being said here. I am sympathetic to politicians who run for office and hold offices with political subdivisions, but there is a certain amount of heat that they have to take, and money is not coming out of their pockets anyway. There comes a point when, as the court says, we must weigh equities. There are two issues and each one has something that can be said in its behalf, so discussion has to be had to determine which issue should prevail. This morning the issue is whether we feel more inclined toward making the injured citizen whole or in shielding the political subdivision from liability that it ought to assume.

PRESIDENT: One minute.

SENATOR CHAMBERS: My feeling is that it is the injured citizen who is entitled to the consideration. The injured citizen is less able to bear up under all of the costs and the harm resulting from the injury than the political subdivision. The political subdivision has the means to make that citizen whole,