

employee who may be involved in some legal action which was a case of malfeasance in office or willful or wanton neglect of their duties, would retain it as a legal process which it rightfully ought to be. And the other new language spells out the process of contacting the Attorney General with the necessary decisions that they make, and then the directions that would be given for payment in the event that it was authorized by the Attorney General by the Risk Manager. It seems to me that the question may come up as to whether or not these kinds of protections ought to be expanded beyond what it currently is for state employees, and it would be my position that the state does have a responsibility in some of these areas because employees are under the direction, the training, the responsibility of the state as employees, and unless their infraction of responsibilities is in some fashion willful and wanton and malfeasance of office in which they would remain personally liable in other areas, it is not reasonable that since they are acting on behalf of the state and under the directions of the state that they are held personally liable in areas which is essentially beyond their responsibilities when they are acting under the directions of a supervisor or the head of a department. So I would urge that the bill be advanced and expand this process so that more than just the actual cost that are currently authorized by statute, that these other costs, including appeal bonds and other associated costs can also be provided funding through this indemnification fund.

PRESIDENT: Thank you. Senator Wesely, please, followed by Senator Chambers.

SENATOR WESELY: Mr. President and members, if you look at the committee statement, you will see that I was the one committee member who did not vote to advance the bill. I abstained and I know Senator Chambers is going to follow me, and if Senator Schmit is in hearing distance, he might recall some of these issues as well, but I do support the concept of protecting our employees from unfair litigation and reasonable litigation and protect them to do the job that they are assigned to do without having to worry about their own personal welfare in terms of having to pay for attorneys to represent themselves or to pay for penalties against them for doing the job they're assigned to do. I think this is a reasonable bill in an attempt to address that issue. Where I had a concern in committee, and I think my concerns are addressed in the bill and I have looked in the bill and I have looked at some summaries, but I still want to raise