

accountable. If you want to deter the type of discriminatory and viola...discriminatory conduct and conduct that violates people's constitutional rights, then in some instances they should be individually responsible. And unless they are held individually accountable, it seems to me there will be all too often the cases where the supervisor or department head or whoever the person is in responsibility will be able to violate the law, violate people's constitutional rights, violate the discrimination laws with respect to age or sex or what have you and yet never really pay the consequences because the state keeps picking up the tab for any liability they may have in these kind of cases. That is my concern. I know that there are other concerns that need to be addressed. So, for that reason, I do not plan to oppose the bill on General File but I can assure you that I will speak on the bill on Select File and I may very well have some change...amendments to try and rectify the situation without giving a blanket immunity to state employees and supervisors and department heads from any individual liability that they may incur because I think the state and we, as a Legislature, have a responsibility to have the final overview of that process and we have the responsibility of saying, do we indemnify these people under these particular circumstances?

SPEAKER BARRETT: One minute.

SENATOR McFARLAND: Thank you.

SPEAKER BARRETT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, accountability is the issue that I'm concerned about here. And I probably get more complaints across my desk from the inmates than most of the senators. So I have the opportunity to see a lot of these things happen in corrections that would not have to ripen to the position of a lawsuit. One of the claims that was brought to us, and Senator McFarland touched on it, was a repeat of last year that we rejected as a Legislature because the court specifically found against this individual in his individual capacity. The rest of the claim, the Legislature approved of. Then it comes back again because the Attorney General's...the person who represented this individual went to him and told him to bring it back again. And it was brought back to the Business and Labor Committee. The Corrections Department would not pay the claim. It's \$750. The risk manager recommended that we pay