

CLERK: No, sir. I have one...I should ask, Senator Hoagland had an amendment that was printed last year, but I haven't visited with him to know whether he wants to offer that or not.

SENATOR HANNIBAL: Then I think what I will do is go ahead and explain the bill. And I will take this opportunity to explain an amendment that is going to be attached to it as well, or I'm going to offer to be attached to it. LB 289 as you heard was the bill that was brought out of the Judiciary Committee last year and placed on General File and it deals with the Municipal Tort Claims Act. It's a relatively simple bill. It does, by itself, does one thing. It brings the limitation or the filing times down to, for filing against employees for a claim, for injury claim, while they are working within the employ of a political subdivision from two years down to one year, or from four years down to one year. It brings it down to a one-year situation so that if a person has an injury caused to them by an employee of a political subdivision, they will, under this bill have one year in which to file a claim against that political subdivision and this is a statute change. And the reason for the change is right now, because of a case that happened out in Buffalo County, there was a situation where the political subdivision had its claim, a one-year claim by...overpassed because the representative, the person that was the plaintiff in the case did not file the papers in a timely manner and within the one year and as a result of the circumstances the claimant filed, the claimant against the employee as opposed to the political subdivision. And the reason...I'm not explaining this very well because I've noticed and there is not very many people listening anyway, but what happened was we stumbled across a loophole, if you will, in the present laws because it allows a claimant to sue an employee of a subdivision directly by purposely or accidentally bypassing the one-year time limit that they have for filing that claim against the subdivision. What LB 289 does is bring that time limit for the employees of the subdivision within that same one-year time limit, one year from the time of cause of action, damages occurs, to the filing date. You have one year to file and that brings the employee under the same limit as now is the political subdivision itself and right now in present statute those two do not coincide. This is bringing it back to coincide within the same one year, period. The amendment that I'm going to be offering also to the bill is kind of a