

SENATOR HANNIBAL: Yes, sir.

SENATOR SIECK: The question is, does this bill contain an item in there where the employee would not be responsible for an accident within an organization or within a public utility?

SENATOR HANNIBAL: They would not be responsible?

SENATOR SIECK: Yes. Well, they would be responsible but they could not sue the employee.

SENATOR HANNIBAL: They sue the employee already. You can sue the employee, but because of the indemnification policies and ordinances you have they are essentially suing the subdivision as well, they are suing the subdivision. So you're not suing the employee outside of the subdivision. You have no advantage to sue the employee outside of the subdivision itself.

SENATOR SIECK: Okay, that's what I wanted... To me that is a proper motive here because I feel that the employee should not be...he's responsible, yet he is fearful that he is going to be sued, then there could be some problems and I feel that the company that he is working for should be responsible even though if the employee is outside of the institution that he is working for, sure, he could be ensued. But if he is working for that company, then he should be covered by that company and not his own insurance. So I would agree with the bill.

SENATOR LAMB: Mr. President, do you have an amendment?

CLERK: Mr. President, Senator Hoagland would move to amend Senator Hannibal's amendment. Senator, this request I have in front of me is AM2441.

SENATOR LAMB: Senator Hoagland.

SENATOR HOAGLAND: Mr. President and colleagues, when we debated this issue on the floor last year you'll recall that Senator Beutler and I apprised the body that the Judiciary Committee heard this issue and another issue, LB 522, which was reported out by the Judiciary Committee on a 5-2-1 vote with five approving it, two not voting and one absent. And