

the compromise the Judiciary Committee arrived at by way of 522 was to allow Senator Hannibal's concept to be adopted into law, but at the same time to extend the claim period for claims against political subdivisions for one year to two years. Now the reason the Judiciary Committee decided to do this is because the claim period at the federal level for claims against the United States government is two years and the claim period at the state level for claims against the State of Nebraska is two years and this amendment would extend the claim period for claims against political subdivisions from one year to two years so that they all conform. Now what the claim period is, is that before suing a governmental body you have to first file a claim with that body and allow the governmental body time to decline to grant the claim. Once that claim is denied, why then you can proceed with the lawsuit and this all originated back in the late 1940s when governments around the country waived sovereign immunity and allowed themselves to be sued in the first instance. Prior to the waiver of sovereign immunity citizens could not even sue their own governments. So when the laws were first enacted they said, we'll let governments be sued but first let's require that a citizen to file a claim to see if we can work out an agreement on that claim and the federal government did it first and they allowed a two-year claim period, that is you have two years to file your claim and if you don't file it within two years you're forever barred. It is a statute of limitations, will allow two years. State of Nebraska filed suit, passed the same kind of law waiving sovereign immunity allowing for a two-year claim period. Then the Political Subdivision Act was passed and it was only a one-year claim period, one year statute of limitations was allowed. And what this has done is it has set up a lawyer's trap. I mean, there are a lot of attorneys, there are a lot of people throughout the State of Nebraska that don't realize that you've only got one year, they think you've got two years. I know of one malpractice case in Omaha right now against a litigator in one of Omaha's finest firms because that litigator simply didn't realize that it was a one-year instead of a two-year claim period. The Bar Association endorsed the concept of LB 522. We put this compromise out in the form of LB 522 where we adopted Senator Hannibal's proposal, but we asked from the political subdivisions is a quid pro quo, we'll insulate your employees but we want an extension from one year to two years so it will conform with federal and state law. What this amendment would do is restore LB 289 to the