

We have that safeguard. We've got that oversight. In the case of political subdivision, we don't have that situation. They do not have that situation. The two year time is not only not necessary because a claim, a damage to have one year, to have a full year before you just file a claim, I'm not talking about settling a suit or having a settlement process going on, but just filing a claim and saying, I think I've got a claim against the political subdivision, one year is not an unreasonable time. As a matter of fact, that is current law. Now what Senator Hoagland would try to do with his amendment is not only bring the statute of limitations against the individual down from four years to two years, but he is also going to take the statute of limitations and extend it against the political subdivision from one year out to two years, doubling the amount of time. We already have a large amount of time for filing a claim, one year, filing a claim is one of the longest in the country for states, for political subdivisions. There are several states that have just a matter of 30 days, 60 days, 90 days. One year is an ample amount of time. I don't see the amendment as being necessary. When you're dealing with the small political subdivision and you have a claim filed against you and your resources are limited, it's important if you're going to be sued and even if it's a rightful claim, it's important that you have notice of that suit so that you can take the time and do the investigation to find out all the facts of the case. If you don't have a fresh trail, I think sometimes the investigators use or attorneys use, if you don't have a fresh trail to follow to find out exactly what was involved in the case and who was at wrong, what the circumstances were, who were the witnesses, what are the damages and all of the things that would be important to the final disposition of a claim, the longer the time runs, and if you take it out to two years, the longer the time runs the more difficult it is to ascertain the true facts in the case. I think that the amendment offered by Senator Hoagland is unnecessary and goes entirely too far, it goes beyond what...right now the Tort Claims Act is, which is one year, and I would urge that you defeat the amendment.

SENATOR LAMB: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I would like to ask Senator Hannibal a question or two before I say what I have to say on Senator Hoagland's