

SENATOR LAMB: The house is under call. All unauthorized personnel please leave the floor. Everyone record your presence. We're looking for Senator Chizek, Senator Lowell Johnson, Senator Rod Johnson, Senator Lundy, Senator Lynch, please. Senator Morehead. Senator Hefner, under call. All senators are here that are not excused. Proceed with the roll call, Mr. Clerk.

CLERK: (Roll call vote taken as found on page 1294 of the Legislative Journal.) 14 ayes, 22 nays, Mr. President.

SENATOR LAMB: The motion fails. What else do you have, Mr. Clerk?

CLERK: Mr. President, Senator Hoagland would move to amend. (Hoagland amendment appears on pages 1294-95 of the Legislative Journal.)

SENATOR LAMB: Senator Hoagland.

SENATOR HOAGLAND: Okay, one last amendment. Now this is another amendment that is important. This is a cost of living amendment. Now...

SENATOR LAMB: Raise the call.

SENATOR HOAGLAND: ...if you look at Senator Hannibal's amendment on page 1058 of the Journal, you'll see that this imposes a cap. This says the most anybody can recover in one of these suits against an employee of a political subdivision who is protected by indemnification agreements, he is fully protected personally, is \$1 million. Now this amendment allows a cost of living escalator to be applied every three years to that \$1 million cap. Now let me tell you why it's necessary. Nineteen years ago the consumer price index was set at 100. Now, in 1986 the consumer price index is around 315 or 320. That means that a dollar 19 years ago was worth 31 or 32 cents today. Now, all this amendment does is it says, if we're going to put caps on lawsuits, let's mean what we say. If we say a million dollars is the cap, fine, it will be a million dollars out indefinitely. It is not going to be a figure that is going to be reduced to a half a million 10 years from now and a quarter of a million another 10 years from now. Now, we know that when these figures were put in the statutes