

official; 906, civil suit when permitted; 919 to 921, which is a whole bunch of statutes dealing with suit provisions, when suits are allowed and how they are. And also in our 1992 where we strike 81-8213 and 81-8227 which is time for filing and which is tort claim limitation of action, perhaps, Senator Lindsay, could you help me out on those, please.

SPEAKER BAACK: Senator Lindsay.

SENATOR LINDSAY: Senator Pirsch, the question dealt with the sections that are stricken and what...why are they stricken. Is that it?

SENATOR PIRSCH: Yes, why...why did these...obviously, you changed the numbers of the statutes that are being changed or affected by this bill or by the committee amendments, I should say. But there is a whole bunch of other sections that the committee amendment left in to be repealed which it seems to me are necessary for our state tort claim law.

SENATOR LINDSAY: Frankly, Senator Pirsch, this is Senator Abboud's bill but from my reading on the front, I guess I'm a cosponsor, but the...my impression is that that deals with the filing requirements. Under the Tort Claims Act, there is a requirement for filing and in addition we don't have that procedure in any other statute, it's filing with the clerk of the particular subdivision. And I believe these sections that you referred to deal with those filing requirements as far as the filing ahead of the time of filing the lawsuit.

SENATOR PIRSCH: What law then will govern or what statutes will govern instead of those sections?

SENATOR LINDSAY: The same statutes, the general negligence law, that is that you would file your action in district court without the requirement that you file a claim with the clerk of the subdivision, and wait six months for the political subdivision to either act or not act on a particular claim. As it stands right now, under the Political Subdivisions Tort Claims Act, you file a claim with the clerk of the governing body.

SENATOR PIRSCH: Right.

SENATOR LINDSAY: The governing body then can either act on it