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LB 476

SENATOR LABEDZ: ...there is vandalism in the parks and before that can even be repaired, the children come into the park before it is even discovered, say a railing is taken off of the slide. The child goes up and through no fault of the City of Omaha, falls down and is hurt. I believe that we are talking about two different situations. We are not eliminating the ability or the possibility of anybody filing suit against the City of Omaha if there is malicious and willful neglect. Thank you.

SENATOR CLARK: Senator Vickers and then Senator DeCamp to close.

SENATOR VICKERS: Mr. President, I would like to ask Senator Labeledz a question if I may, please.

SENATOR CLARK: Senator Labeledz, will you respond?

SENATOR LABEDZ: Yes.

SENATOR VICKERS: Yes, Senator Labeledz, I am a member of your committee as you well know and I also missed the hearing on this bill so I am a little bit of at a loss as to understand exactly what is going on. Could you explain to me how this affects land operated by the Game and Parks in rural areas in the State of Nebraska as far as if hunters would go on that land? What is the liability then?

SENATOR LABEDZ: Well, if they would go on the land of an owner, the landowner?

SENATOR VICKERS: No, the land owned by the Game and Parks.

SENATOR LABEDZ: Okay, land owned by the Game and Parks. If they should step into a hole you mean as they were walking along the field with a gun?

SENATOR VICKERS: Yes, does this change the liability of the Game and Parks at all?

SENATOR LABEDZ: Yes, yes, it would be for all political subdivisions.

SENATOR VICKERS: In other words, if somebody is out there and damages themselves, is that different than it would be on privately owned land then or would that be the same as on privately owned land?

SENATOR LABEDZ: No, I have to take that back because I believe the Games and Parks is a state agency. This is government subdivisions so it would not affect the state