

might hurt the individual. So even though it is your property and under ordinary circumstances the person coming on your property would be viewed as a trespasser and you would owe no special duty of care to a trespasser, the fact that what you put there would draw somebody onto your property makes you liable under circumstances where you ordinarily would not be. These devices can be by analogy, equated with an attractive nuisance. They do pose a hazard to the public and the Legislature I think should take note of these types of circumstances and adopt an appropriate policy decision. This amendment would in no way impinge on the rights of free enterprise or assumption of reasonable risk. What it does say is that the state by the exercise of its police powers is recognizing certain dangers that exist and if an individual wants to try to reap profit from this situation there is a liability as a part of the bargain that he must be willing to assume. So I think the amendment is very worthwhile. I think it has a lot of merit and there are a number of states that are also recognizing the danger of these devices. For my part it might be better to ban them altogether. They are planning on having a rodeo in Omaha in a few days and I very seriously doubt then in my particular case where somebody may have an interest in a person being trounced and moved around by a bull, they would not let somebody come off the street and say I want to ride this bucking bull or I think I can stay on this horse so let me mount up and go out there and give the fans a show for their money. No, that would never be done. So why are we going to take a mechanical device which duplicates the moves of the live animal but we have an even more dangerous situation because at least the person in the rodeo would fall on the earth and that would absorb some of the shock. In these establishments the person falls on something much harder than the earth, does not have complete control of his or her senses, has no experience with the moves that this device will make and when an injury occurs then it might be the thing that would draw other people to watch because the possibility of injury might be what draws them. So I think an unwholesome set of circumstances exists and I think that the Legislature is totally within its rights and is properly assuming its duty to simply say to the owner of one of these establishments that if you want to have this potentially dangerous situation to draw people in, you will have to assume the liability that goes with such a thing. So I ask that you return this bill and adopt this amendment.

PRESIDENT: Before we go to the next speaker, the Chair would like to introduce from Senator Marsh's district 21 students from Lincoln Christian School with Levi Kroeker their teacher. They are up in the North balcony. We welcome you to your