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LB 483

SENATOR CHAMBERS: Yes, I think it does limit it to those with retailers licenses and those little things in front of dime stores do not even fit the same category but I will talk to you about that.

SENATOR HEFNER: Okay, I will study the amendment a little more and I believe I can support it.

PRESIDENT: The Chair recognizes Senator Labeledz. Senator Labeledz.

SENATOR LABEDZ: No, I wanted to speak on my amendment, I am sorry.

PRESIDENT Alright, Senator Labeledz. Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I would urge your support for the Senator Chambers' amendment which I guess really is Senator Maresh's amendment and I wish that I had not missed this discussion earlier and I apologize to the body for missing this discussion. But I think that the waivers of liability which these individuals have signed in many cases are simply unconscionable and I think it is just incredible for us to put these individuals in this situation. Many of these individuals will come in and drink two or three beers and then get on one of these machines and that is where we run into the problems and it is not the same thing as a sport or a rodeo where we are... you don't see the rodeo officials allowing these individuals to get out there when they are drunk and passing the beers around and so forth and there is a little regulation and a little safety in an organized sport but I think this is one of the most tragic things that has occurred in the State of Nebraska. I think the waiver of liability is even, if we did not pass this bill would be of some questionable validity. But it is just, in my opinion, unconscionable for us to allow an individual to sign away his rights in this particular situation and I would urge us to support Senator Maresh who brought this issue to us and Senator Chambers and adopt this amendment and move on with it.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I am amazed that the attorneys have not been saying something about this. I have always thought, and I am not a lawyer, that responsibility was based on negligence, that liability is based on negligence. Here we are, I think we