

now, and I would like to try and make this as clear as possible, there is no statutes that I understand dealing with the liability of lodging establishments, thus they are absolutely liable depending on court decisions for losses that are incurred by their guests, as I understand the situation. For instance, if you would go to a hotel in Omaha or what have you and you would lose your luggage and clothes or whatever, you could go to court and at that point the court would decide what liability the hotel had that you were staying at. There would be no statutory guidelines or restrictions that would be in place, as I understand the present situation, because we repealed any sort of reference which as I understand it increased and broadened the liability of lodging establishments. What Senator Schmit is trying to do is put back in the statutes those sections that have been repealed last year to try and limit to a degree, some degree, the liability that lodging establishments have. So they would still be liable but to a lesser degree and with certain restrictions than they are right now which is pretty much an absolute liability depending on the court. So what you are doing with this bill is basically restricting liability and the question then is, how much do you want to restrict the liability of the lodging establishments. You have to do that very carefully depending on what you see as being proper. So in my estimation, I think absolutely we should pass some form of this legislation but I also absolutely feel that some discussion that is taking place this morning is needed on this legislation. It is important and it should be questioned and discussed.

SENATOR CLARK: We have twenty-five minutes left on Final Reading. We have seven speakers left on this. We have two more motions after this one. You can judge yourself accordingly. Senator Higgins is next.

SENATOR HIGGINS: Mr. President, so far the only people that have spoken about this bill is Senator Schmit and the attorneys on the floor and the attorneys have addressed themselves repetitiously to liability which I think is their favorite subject because, let's face it, that is their income, that is their money. In the first place, if you go to a motel and you have got a thousand dollars worth of luggage, clothing and what have you, five will get you ten you have got an insurance policy at home that is going to pay you a lot more than a thousand dollars. I have never seen a claim across my desk where everything stolen at the motel was brand new, brand new luggage, brand new clothes, everything was brand new. Now for the benefit of the attorneys that are talking about liability and the fact that you have got to be able to tell a motel exactly what you lost, I would like to ask