

March 11, 1982

LB 547

bill in front of us, and that I think that although I am not an attorney...

SENATOR CLARK: You have one minute left.

SENATOR FOWLER: ...but I think that this question of liability deserves fuller discussion than it received in the process and for that reason I would move to return the bill, strike those sections, and let's take another look at this question of liability. I doubt that there is any harm, given again the circumstances like we saw in Houston with the Hilton Hotel, any harm in reevaluating these in light of current conditions. So I would move to return the bill to strike these two sections.

SENATOR CLARK: The question is to return LB 547 for specific amendment. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? Record the vote.

CLERK: 17 ayes, 25 nays, Mr. President, on the motion to return the bill.

SENATOR CLARK: Motion lost. Next motion.

CLERK: Mr. President, Senator Beutler would move to return LB 547 to Select File for specific amendment, that amendment being to strike Section 14 from the bill.

SENATOR CLARK: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I have no particular reason to pick on this bill and I don't know whether this represents existing law and simply corrects a mistake. All I know is when I am called upon to read it, I think it is my obligation to read it as best I can and I think that whether it was existing law or not the bill has a problem, and if you would just follow me through one hypothetical, I think I can illustrate for you the harshness of this particular law as it may be applied. Up in Section 8 of the bill it talks about taking things down to the motel safe and it says that there is no liability on the part of the proprietor for loss or injury to such property ~~except~~ negligence or dishonesty. Okay let's say I have a couple of rings and I take them down to the safe and they are receipted for and they are put in the safe but the night clerk fails to close the safe. He is negligent.