

that people who render a certain type of help are not liable if they commit a negligent act. That is not what was heard when this bill was presented. It was not what the public was told to expect when this bill has moved across the floor. So now, at this late stage, we come up with a proposition that is worthy of a hearing on its own and not in conjunction with this bill that did not contemplate removing liability from people who commit negligent acts. This bill, the amendment that is being offered by Senator Peterson says that if a person fails to exercise due care when they come upon a person needing aid, they are not liable. That is a strong and far-reaching position, and it ought not be added to a bill such as this. As it stands without the amendment, the bill is innocuous and I am not aware of its having raised any problems in anybody's mind, but this amendment would justify a serious fight and, if it were added to the bill, I would feel an obligation to try to kill the bill because that provision is totally unwarranted. It has not been evaluated and I don't think it ought to be added to this bill. So what I am saying is that the Chair ought not be overridden in this instance.

SPEAKER BARRETT: Thank you. Senator Morrissey, do you care to speak to the challenge? Thank you. Senator Pirsch, did you wish to speak to the challenge?

SENATOR PIRSCH: Yes, thank you, Mr. Speaker. Senator Peterson, I would like to ask you a question. Has this not been a bill in the past and had a hearing?

SENATOR PETERSON: Yes, it had. This is part of...this is the liability part of LB 472 that had a hearing before Public Health and Human Services, and to certify and that first responders, and what we want to do is go through the 407 with certification and everything, but get in the liability because those first responders, a lot of them out there in the small towns, fall between the Good Samaritan Act and the EMTs.

SENATOR PIRSCH: Right, and I am aware of that problem, and I do think that this problem should be addressed. I am not sure that members want to overturn the Speaker, but perhaps we could just suspend the rules and do it that way, if, indeed, this is not overturned this way. I know there is a problem out there and this is one of concern, for several years, I think, this has been before the body and never quite had the time to go through and, regretfully, Mr. Speaker, I am going to have to vote to