

May 15, 1989

LB 761

PRESIDENT: The first part of the amendment fails. We'll take up the second part of the amendment now. Senator Kristensen. (Second Kristensen amendment is on pages 2370-71 of the Legislative Journal.)

SENATOR KRISTENSEN: Thank you, Mr. President.

PRESIDENT: The call is raised.

SENATOR KRISTENSEN: The second part of this amendment deals with the liability for the local monitoring committees, the members that will not be held liable for the civil actions, or any damages resulting from their acts, if they are acting in good faith. If they are acting willfully or wantonly by some act or omission, they'll still be held liable, they'll also be liable if they are operating a motor vehicle. And considering that Senator Schmit has said that that is noncontroversial, I guess we ought to give it a swing and see how it is.

PRESIDENT: Thank you. Senator Schmit, would you like to speak on the second half, followed by Senator Morrissey.

SENATOR SCHMIT: Mr. President, I'm not enthusiastic about it. I believe it's already in the statute, but I have no objection to the amendment and I support it.

PRESIDENT: Thank you. Senator Morrissey, please, followed by...

SENATOR MORRISSEY: Question.

PRESIDENT: Question is called. Do I see five hands? I do. And the question is, shall debate cease? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 1 nay, Mr. President, to cease debate.

PRESIDENT: Debate has ceased. Senator Kristensen, would you like to close? No. The question is the adoption of the second half of the amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 2 nays, Mr. President, on adoption of Senator Morrissey's amendment...I'm sorry, Senator Kristensen's amendment.