

February 12, 1991 LB 88, 262

that the LB 88 standards now don't apply to political subdivisions. So all the good work we have done we will fight all over again in that arena. Not only that, but it gives a tremendous tactical advantage to those that are in favor of cutting way back on what is allowed under the Political Subdivision Tort Claims Act, and I suppose that is an argument for another day. And even if you think there are some reasonable things that should be done in terms of exemptions on the Tort Claims Act, don't open up the whole debate again on the mechanisms of 88 and contributory negligence and how that might apply to the Political Subdivisions Tort Claims Act because you are going to double, triple, quadruple your work. We are going to be going through all these obscure arguments again, and as far as I can see, there is no good reason for doing that. The agreement was made that LB 262 would come to the floor. There will be an opportunity for arguing those exemptions and amendments. The arguments will be on the narrow focus of whether those exemptions are appropriate, not on the whole subject matter of what we have dealt with in 88 again, and that is what we ought to do. That is what we ought to do. We ought to do ourselves a favor and deal with Senator Warner's amendments as they come up on LB 262. The political...well, you can get into a number of arguments on the substance of what may be attempted, and on the philosophy of the Political Tort Claims Act. There will be plenty of discussion on that, as is. But I hope that in terms of structuring our debate in a reasonable and rational way that you will not allow this amendment to be attached, and we can deal with these two matters separately. Thank you.

SPEAKER BAACK: Thank you, Senator Beutler. We will now go to Senator Abboud.

SENATOR ABOUD: Question.

SPEAKER BAACK: The question has been called, do I see five hands? I do. We will now proceed to vote, all those in favor of ceasing debate vote aye, opposed vote no. Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BAACK: Debate has ceased. Senator Warner, do you wish to close on your amendment?

SENATOR WARNER: Mr. President, members of the Legislature, I