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SENATOR PIRSCH: ...understand what is added.

SENATOR WILL: Certainly. Thank you, Senator Pirsch. I had my light on for just that reason.

SENATOR PIRSCH: Good.

SENATOR WILL: If you take your copy of the Schellpeper amendment and look at it, what my amendment does is eliminates lines 2 through 4, the first three lines of his amendment, the first sentence of his amendment, cross that out. It replaces that with the sentence, "Assumption of risk is an affirmative defense." Okay? Then in line 6, before the word "danger", my amendment would insert the word "specific".

SENATOR PIRSCH: Second?

SENATOR WILL: And in line 6, after the word "person", insert the words "unreasonably and".

SENATOR PIRSCH: Okay.

SENATOR WILL: That's what the Will amendment does.

SENATOR PIRSCH: And nothing to the third.

SENATOR WILL: Right.

SENATOR PIRSCH: Okay, thank you very much. Senator Ashford isn't handy. Senator Landis, could I ask you a question. The assumption of risk is an affirmative defense, that is what we will be doing. And that means that the person being sued has the burden of proof, is that correct?

SENATOR LANDIS: Right.

SENATOR PIRSCH: So the plaintiff comes in and they...the person who they are suing has to prove that...these points, that they knew and understood, or that they did not know and understand the specific danger, that they did not unreasonably and voluntarily expose themselves, and the person's injury or death occurred as...did not occur as a result of exposure to that specific danger. Is that...

SENATOR LANDIS: You've got it turned on its head. Let me try.