

specific language, and just keeping the amendment to the amendment, which deals with making sure that assumption of risk is an affirmative defense. There is some uncertainty in the law as to the application of the rule of assumption of risk. There are two recent Supreme Court cases on this issue, and so it's somewhat of an open question, but we feel that this amendment that we have just worked out will properly handle the problem. And I believe, Senator Schellpeper, Senator Schellpeper, may I ask you a question?

SENATOR SCHELLPEPER: Yes, Senator Ashford.

SENATOR ASHFORD: So that maybe we can get to a vote on this, is that all right with you that...the amendment?

SENATOR SCHELLPEPER: Yes, I think it's going to be okay, as long as we take out the words "specific and unreasonably", I think the rest of the amendment, Will's amendment, will be okay.

SENATOR ASHFORD: Okay. All right, maybe you better explain that, Senator Will. I'll give Senator Will the remainder of my time.

PRESIDENT MOUL: Senator Will.

SENATOR WILL: Yes, just to clarify my amendment for the body and for Senators Schellpeper and Ashford, so they understand, my substituted amendment eliminates the words "unreasonably and", but it does still include the word "specific" as relates to danger.

SENATOR SCHELLPEPER: Okay, so you're really just taking out the word "unreasonably" then.

SENATOR WILL: Exactly.

SENATOR SCHELLPEPER: And you're leaving in the first line that you...in your original amendment, Senator?

SENATOR WILL: Yes, I leave in the statement that...

SENATOR SCHELLPEPER: Assumption of risk...

SENATOR WILL: ...assumption of risk is an affirmative defense and I do insert the word "specific" before the danger that the