

June 3, 1991

LB 256, 256A, 262, 419, 638, 638A, 701A, 701
701A, 703, 703A, 715, 715A, 720, 830, 830A
840

Journal.) 38 ayes, 4 nays, 4 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BAACK: LB 701A passes. While the Legislature's in session and capable of transacting business, I propose to sign and do sign Legislative Bills 703, LB 703A, LB 256, LB 256A, LB 638, LB 638A, LB 715, LB 715A, LB 830, LB 830A, LB 419, LB 701, and LB 701A.

SPEAKER BAACK: We will now proceed to Item 6 on the agenda, General File, and I might announce that this bill, we're not going to get into a long protracted discussion on tort reform on this bill again. If we get into a long protracted discussion, it will be taken off of the agenda. It's something that Senator Kristensen will explain why we needed to have the special order to have this bill done. Mr. Clerk.

CLERK: Mr. President.

SPEAKER BAACK: Oh, items for the record, do you have?

CLERK: Yes, just very quickly, thank you. A communication from the Governor to the Clerk. (Read Message from the Governor regarding LB 720e and LB 840 as found on page 2777 of the Legislative Journal.)

CLERK: Mr. President, LB 262 was a bill originally introduced by Senator Kristensen. (Read title.) The bill was introduced on January 14, referred to Judiciary, advanced to General File. I have committee amendments pending by the Judiciary Committee.

SPEAKER BAACK: Senator Chizek.

SENATOR CHIZEK: Mr. Speaker and colleagues, the committee amendments basically have become the bill and principally the committee amendment added two exemptions to the Tort Claims Act and the Political Subdivisions Tort Claims Act. Under 262, as amended, both the state and the political subdivisions would have been immune from any claim arising out of making or failure to make an inspection. The second exemption enjoyed by the state and political subdivisions concerns permit, licenses, certificates of approval, those kinds of things. There was a total, under the amended 262, there was a total immunity from any claim concerning the action or nonaction of the state's subdivision which was based on issuance or denial or suspension