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remarkable, Senator Raikes.

SENATOR CUDABACK: Senator Wehrbein, thank you. Senator Chambers, on the Raikes amendment. Senator Chambers.

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, not only did Senator Wehrbein...I meant Senator Raikes write the longest sentence. He gave me a copy of the amendment, which I was working, and then he withdrew it and substituted, and I had drafted an amendment to that one. And then I heard him mentioning a sunset and I didn't see it in the copy of the amendment he gave to me, so I've pulled mine. But the concept of mine would still stand, so I'm going to discuss what my concerns are about this approach. If you'll notice that there are various locations and activities where children will be involved during which one of these attacks may occur, and if such an event, to use the term in the amendment, takes place and one of these trained persons administers the emergency aid that he or she has been trained to administer, there is no liability for any damage or injury unless such damage or injury was caused by the willful or wanton act or omission, Willful and wanton rises almost to the level of intentional. When we're talking about the handling of children, I don't want a person to be immune from liability if he or she has been negligent. I'd like to ask...oh, I don't see Senator Brashear on the floor, but I was going to ask about gross negligence. This takes it out of the realm of negligence. If...negligence exists if a person fails to exercise due care. A doctor can be sued successfully in a malpractice action if he or she was negligent. That means there is a standard of care that is to be met, the doctor fails to meet that standard, the doctor is liable. If you were to say that the only way a doctor is liable is if he or she committed an act that is willful and wanton in terms of violating his or her duties, then you would give doctors free rein to do almost anything. Even if they cut off the wrong finger, that, the doctor could say, well, that's not willful. And if somebody said, well, it's wanton, you could say, well, no, it doesn't rise to the level of that because this does imply some element of bad intent. Now if this teacher, and I mention teacher because Senator Raikes did, has dirty hands and transmits a disease to the child, the teacher is not liable. If the teacher