

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

February 1, 2005 LB 176

corporation, perhaps, or an individual in their proprietorship, a small business, or something like that, or a nonprofit in their facility. It could be a broad number of types of entities or persons, I assume. Would that be correct, basically?

SENATOR JENSEN: Yes. Yes, absolutely.

SENATOR BEUTLER: Okay. So they acquire this. And of these three obligations, the first one is to maintain and test it. Now, let's say we have a situation where one of us has a problem. You have a heart attack with one of my bills, maybe.

SENATOR JENSEN: (Laugh) Possible. Okay.

SENATOR BEUTLER: Patrick rushes out and he gets the defibrillator and, by golly, it doesn't work.

PRESIDENT SHEEHY: Time.

SENATOR BEUTLER: The battery is gone, or whatever. He hasn't checked the batteries.

PRESIDENT SHEEHY: Senator Johnson.

SENATOR JOHNSON: Senator, I would yield a little time to let him finish his question.

PRESIDENT SHEEHY: Senator Beutler.

SENATOR BEUTLER: Senator Johnson, thank you very much. I have a little time I'll yield back to you here in a minute. You follow the hypothetical so far? Patrick hasn't done his job, and it doesn't work. And one of...you...somebody volunteers and applies, or delivers, the emergency aid, but obviously it's not going to work, because the machine doesn't work. Is Patrick or the state liable for not having maintained that in its proper condition for use?

SENATOR JENSEN: There is no liability in that section that is there. Now,...