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FLOOR DEBATE

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there are instances in Lincoln and Omaha and some of these communities where a road that is kind of a main thoroughfare is also designated as a state highway, even though that road has traffic lights and traffic control devices. So again, I'm trying to figure out exactly what you're trying to do. I...it doesn't make sense to me that anyone, especially with the committee amendment, where it's...or, especially with the bill, where it talks about they can only do this at traffic control devices. I'm trying to figure out what you're doing on a...trying to limit it from the highways.

SENATOR BAKER: What we're trying to do is limit the liability exposure to the state of Nebraska. If these people would be soliciting on a state highway within a municipality or city, they simply do not want to be exposed to that liability, and hence, the amendment excludes the state highway system from having solicitation on it.

SENATOR BOURNE: So the Department of Roads brought this to you? Or the...who brought the amendment to you?

SENATOR BAKER: Well, it was discussed with the Department of Roads, and they certainly agree with the amendment, that we need it.

SENATOR BOURNE: Where in the bill does it establish liability for the state for this conduct?

SENATOR BAKER: It does not, I don't believe, in the bill. It simply...

SENATOR BOURNE: If a municipality, by ordinance, set forth provisions and terms by which people could solicit this money for charity, wouldn't the liability, if there was any, reside with that municipality rather than the state?

SENATOR BAKER: I don't think so. It could possibly do that. And that's why, actually, the amendment has been presented, is, we want to exclude the State Department of Roads, the highway system, from being subject to any liability. And that's why the amendment is brought forth. We want to exclude them