

March 30, 1982

LB 611, 761, 787

reasonable in terms of their upkeep and evidently the standards that are proposed in this legislation do conflict with past case law and judicial interpretation and so the evidence from the Attorney General's opinion is that previous case law and judicial interpretation in conflict will take precedence over this new standard. So you may talk about minimum maintenance roads but the liability question which is at the heart of the problem still would be there and I think we want to protect people. If a road is not kept up and it is open to the public and as a result somebody is injured from the use of that road, there would still be a liability by the county. I wanted to point that out to you. I know that you want to move on with other things but there is an Attorney General's opinion you may want to look at in regard to this legislation.

SENATOR LAMB: Senator Kahle, to close on the bill.

SENATOR KAHLE: No closing, go ahead.

SENATOR LAMB: The motion is to advance the bill. Those in support vote yes, those opposed vote no.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Record.

CLERK: 35 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR LAMB: LB 611 is advanced. Do you have something to read in, Mr. Clerk?

CLERK: Mr. President, Senator Schmit would like to print amendments to LB 787 and Senator Fenger amendments to LB 761. (See page 1508 of the Legislative Journal.)

SENATOR LAMB: Thank you for staying this late. Would... Senator Pirsch, would you care to adjourn us until nine o'clock in the morning and this worked so well that we will plan to stay until five o'clock tomorrow night.

SENATOR PIRSCH: Thank you, Senator Lamb. I move to adjourn us until nine o'clock, March 31.

SENATOR LAMB: All those in favor say aye, those opposed no. We are adjourned.

Edited by Arleen McCrory.
Arleen McCrory

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