

points of light activity. And he said, and I agreed with him that we are too quick to sue those individuals who are attempting to serve their community through volunteer activity and should we find a way to provide for lawsuits of those who have done wrong in a way that still allows for that but doesn't, again, have that chilling effect on volunteerism. So we came back to Nebraska and saw that currently volunteers for not-for-profit organizations have a liability of negligence, and as this handout that I have given you indicates, negligence is, I would assume, the lowest level of, lowest standard in order to be achieved to sue an individual. Higher than negligence would be gross negligence and that is the standard to which this amendment would take volunteers and nonprofits so that gross negligence would have to be there in order to sue these individuals and succeed with that lawsuit. Higher levels would include wanton, willful or intentional actions that harm an individual. Currently directors on not-for-profit organization boards have those higher levels of standards that have to be met. So you can be grossly negligent as a board of director of nonprofit organization and not have, be in a position to be sued, or at least successfully sued. And this bill, LB 253, takes directors and officers of banks and other financial institutions to a similar higher level of gross negligence and above and what I am suggesting is if we're willing to take for our banking officers and directors and protect them from suits from the federal government, and I believe that would be applicable to others who would wish to sue, I'm not certain about that, but it would seem fair to me to suggest that volunteers for nonprofit organizations should have the same level of protection as bankers who make a living and that is their profession have under what is proposed under LB 253. The incongruity of it seemed alarming to me and I thought appropriately to raise the issue about what is an appropriate level of protection for individuals from lawsuits? Now if we, across this state, feel that volunteers have a lower standard that can be met to be sued than a banker or another individual in a financial institution whose career is based in that area, it doesn't seem right to me and perhaps somebody can explain the situation to a point where I change my mind on that, but at the level of discussion we've had so far it seems unfair in my view that we don't take some action to recognize the role of volunteers and give them a higher level of protection or, conversely, defeat LB 253 and not increase the level of protection of those who are officers or directors of banks and other financial institutions will enjoy. I also have in this