

packet additional information about this issue. It is no small problem. It is no small issue. It has been before the body before. We've had legislation to provide that immunity from civil liability for directors, officers and trustees and nonprofits back in 1987 with LB 67. We had quite a flurry of activity back then because there was a great deal of concern about liability protection and tort reform and what have you. That's the only bill that ended up passing, but then a couple years later an additional bill was passed to provide more protection for sports volunteers, but two years later that bill was repealed because of concerns about its implementation. We've had a couple of studies on the issue of volunteer liability that I've introduced in '91 and '92 and I want to emphasize for you here, LB 610, although we're reflecting to a large degree what that bill did, this does not have as much protection for the volunteers as LB 610 provided. 610 provided them a level above gross negligence. This level under this amendment would set that standard at gross negligence. But I want to emphasize to you that despite a great deal of support from nonprofits across the state, the Judiciary Committee has seen fit to unanimously kill that legislation. It is dead and buried in the graveyard along with a lot of other legislation once heard and rejected by the Judiciary Committee, so this is no bill that has come out of committee, no bill that is sitting on consent calendar, no bill that has a future outside of this amendment. I don't want to mislead you that there's a great deal of consensus about this. If you went to the nonprofit organizations in this state I'd think you'd find a great deal of consensus. On the other side of the coin are the trial attorneys in this state who vigorously oppose this type of issue, but it is an interesting thing and I think it not inappropriate to chastise a bit the trial attorneys who seem unconcerned about the bill, LB 253, again providing additional protection for bank directors and officers from suits brought by the federal government. No opposition there evidently from the trial attorneys. I guess they don't handle a lot of cases involving those, but for the poor little old volunteer out there trying to take care of some concerns and community needs through a volunteer service, through a nonprofit organization, they've got to be held at a standard of liability that I think is much more vulnerable and I think more unfair than what is being discussed here with LB 253. But again, we've had other bills on this issue. It's a difficult issue. It is not an easy issue and I'm not trying to mislead you into this as a simple amendment and a simple issue. Twenty-four states like us