

MINUTES OF MEETING - ASSEMBLY COMMITTEE ON JUDICIARY - SPECIAL SESSION, February 14, 1968

The meeting was called to order by Chairman White at 10:50 A.M.

Present: White, Kean, Dungan, Swackhamer, Torvinen. GUESTS: Mr. Getto, Senator Dodge

Absent: Schouweiler, Lowman, Hilbrecht, Petrini

AB 6: Extends limitation of liability for recreational use. No cost to State or any public agency.

MISS DUNGAN: Moved that the committee amend AB 6 on line 8 by inserting the word "recrea in front of the word "use".

MR. SWACKHAMER asked if the committee was in agreement that the amount should be \$25,000 and was told that it was.

Mr. Kean seconded Miss Dungan's motion to amend
The motion passed unanimously

MR. SWACKHAMER: The \$250,000 limit on things pending before passage and approval--that covers everything doesn't it?

MR. TORVINEN: How about matters reduced to judgment?

SENATOR DODGE: If that half million suit goes back to trial it will probably be caught in this language.

MR. SWACKHAMER: That is not the intent.

MR. TORVINEN: If we don't put it in there we may give someone the idea they can litigate and get this.

MISS DUNGAN: Why not take out the word "final" then the court will not have to decide.

MR. TORVINEN: We could combine Mr. Swackhamer's statement to any pending causes of action.

MR. SWACKHAMER: The Statute of Limitations has a bearing on this.

MR. KEAN: Two years on torts.

SENATOR DODGE: Let Frank Daykin know what you want and he can word it for you.

MR. SWACKHAMER: Are we all agreed in principle with what we have in mind?

MR. KEAN: Let's let an attorney, Mr. Torvinen, talk to Mr. Daykin about it.

SENATOR DODGE: There are three things involved: First, limit liability to \$25,000 after effective date; second, make it clear that we are not, in this legislation, interfering with the \$500,000 suit; limit pending causes of action which have any opportunity for being filed to the \$250,000.

MR. SWACKHAMER moved Do Pass AB 6 with the amendments
Mr. KEAN seconded
Motion passed unanimously

Meeting adjourned at 11:00