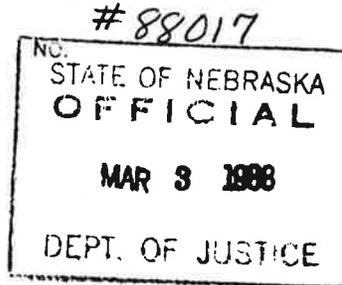


DEPARTMENT OF JUSTICE

STATE OF NEBRASKA

TELEPHONE 402/471-2682 • STATE CAPITOL • LINCOLN, NEBRASKA 68509

ROBERT M. SPIRE
Attorney General
A. EUGENE CRUMP
Deputy Attorney General



DATE: March 3, 1988

SUBJECT: Definition of "Person" in Neb.Rev.Stat. §25-21,186 (Reissue 1985)

REQUESTED BY: Senator Carol McBride Pirsch
District No. 10

WRITTEN BY: Robert M. Spire, Attorney General
Lisa D. Martin-Price, Assistant Attorney General

QUESTION: 1. Whether a "person" who renders emergency care pursuant to Neb.Rev.Stat. §25-21,186 (Reissue 1985) includes individuals only, or does the term also include organizations?

CONCLUSION: 1. Pursuant to Neb.Rev.Stat. §49-801 (Reissue 1984), the term "person" in this context includes organizations as well as individuals.

You have asked whether a "person" who renders care pursuant to Section 25-21,186 encompasses both individuals and organizations. Our reading of the pertinent statutes indicates that the term "person" in this statute does indeed include individuals as well as organizations.

Neb.Rev.Stat. §49-801 (Reissue 1984) defines words and phrases used in statutes. It provides in part:

Unless the context is shown to intend otherwise, words and phrases in statutes of Nebraska hereafter enacted are used in the following sense: (16) Person includes bodies politic and corporate, societies, communities, the public generally, individuals, partnerships, joint stock companies, and associations." (Emphasis added.)

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Senator Carol McBride Pirsch
March 2, 1988
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After reviewing Section 25-21,186, we do not find that the context of the statute requires a different interpretation of the term "person" than the general definition provided in Section 49-801.

Sincerely,

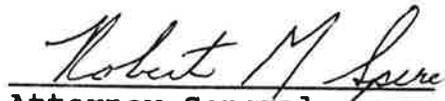
ROBERT M. SPIRE
Attorney General



Lisa D. Martin-Price
Assistant Attorney General

18-02-4

Approved:


Robert M. Spire
Attorney General

cc: Patrick J. O'Donnell
Clerk of the Legislature