

complex area of tort law that exists in the law of the State of Nebraska today. Senator Conway is suggesting in his amendment that we change the joint and several liability theories of our existing tort law. As Senator Landis so rightly said, this is an extremely complex issue dealing with one very specific area of the law, and that is tort law. Frivolous lawsuit...the frivolous lawsuit bill deals with all sorts of cases, whether they be tort cases, contract cases, or whatever. Also LB 363, which has been advanced to the floor, has a specific part of it dealing with the problem of joint and several liability. That bill was advanced out of committee and would be, as Senator Landis so rightly says, an appropriate vehicle for amendments. The area of joint and several liability is an extremely difficult one, extremely complex. The debate on that amendment will take a significant amount of time in this body, and it should be an amendment to a bill which does specifically deal with that area of the law, which is LB 363. Thank you.

SPEAKER BARRETT: Thank you. Senator Conway, please.

SENATOR CONWAY: Thank you, Mr. Speaker, members of the body. LB 261, as it is currently formulated, does address frivolous lawsuits. My amendment, without question, does also address the concept of joint liability. Both aspects are related to litigation and that is what this is all about. Most of you are well aware that I introduced LB 425 in the Judiciary Committee, and as it was introduced, it included eight different areas of litigation, all under one bill. LB 261, with the inclusion of my amendment, would encompass only two of these provisions, frivolous lawsuits and joint liability. Had LB 261 advanced from the Judiciary Committee with my amendment attached to it at that time, I don't think there would have been any objection. Germaneness is only being questioned primarily because of the oppositions, objection to this specific aspect of changing in the law. I think if you will look on down the road as we started off talking about the fact that Senator Ashford has an amendment, he speaks of germaneness relative to my amendment, but yet his amendment that follows right on its heels deals with comparative negligence which is as much removed certainly as is the joint liability concerns. So you know, we, depending on a relative stance, we are at any given point in time our arguments have a very difficult time holding water. The Senator Chambers comments from earlier in this session regarding germaneness I think are very important and appropriate to reiterate at this point. He talked at that time about too narrow an interpretation harms the legislative process. It can also...it