

so used to listening to each other with just one ear that we sometimes miss when very important things get said, things that really are true and cut to the heart of issues but don't capture our attention and Chris Abboud gave the best speech of the session so far, a little while ago, and I don't know how many of you paid attention real carefully because it is a real interesting point that he is making. We all too often in this body work on a system of favors and ledgers, where, when we put a bill together, we make sure that if it takes one step forward for one group, and then make sure it has a one step backward for another group so that it is balanced, so that we don't ever rock the boat. LB 88, at this point, is such an accommodation on the theory that this body would never make simply one step forward for one group. We have to link it to a step for somebody else before we will act. That is the theory right now on LB 88. It's a balancing act. Part of the bill is the repeal of slight gross and part of the bill is a reworking of our joint and several liability rules, an attempt to balance, a sort of a ledger. We'll do something that we think might be good for the trial attorneys, we'll do something that we think might be good for a business and the insurance companies. And that is the problem. See, what Chris Abboud says in this amendment is, wait a second, what is wrong with just doing one good thing without balancing it just because it happens to be good policy without the favors and ledgers quality of the addition or subtraction which the rest of this argument is all about? The Kristensen amendment wants to move that favor and ledger equilibrium a little more to the businesses side, little more to the cities side. LB 88 wants to keep that balance that they have struck in the bill to be even handed and we forget why this bill is here. This bill is here because we have an old, outdated, outworn, nonsensical rule of liability. It is a principle that says, look, if I'm negligent and you're negligent and we both go to court, and I'm the plaintiff and you're the defendant, I don't win unless my negligence is only slight. If yours is ordinary, mine has to be slight before I can win. On the other hand, if I have ordinary negligence, you must be grossly negligent before I can recover. Now, if you can figure the sense out on that, you're a better person than I am. That was in about, oh, the turn of the century a step forward for our old rules. It is no longer. We are out of date. We are spinning with our tires in the sand while the rest of the country has moved forward in refining their liability rules. And Chris Abboud says to us, you know what, wouldn't it be amazing if we threw out that legislative system of favors and ledgers and just did the one