

PRESIDENT: One minute.

SENATOR ASHFORD: ...under joint and several liability, that's the law. What this change says is, no, jury, you can't do that, you can't do that. And this is an important point, everyone. You can't do that under comparative fault. You have to allocate to that plaintiff the degree of fault that you determine is that plaintiff's degree of fault. And you can't just willy-nilly enter a verdict for a million dollars against the defendants. This is...so not only does this protect victims or plaintiffs but it also puts a basic fairness into the system that does not now exist. That's why 49 percent...or 49 states have adopted it, not because it's a boon to lawyers, not because more lawyers will get more business, that's hogwash. That's absolutely hogwash. The lawyers are coming to this body because they work with the system every day and it doesn't work. Thank you.

PRESIDENT: Thank you. Senator Landis, your light is on, did you wish to talk to this part of it? Okay. Amendments.

SENATOR LANDIS: Mr. Speaker and members of the Legislature, I would like to tell you about some of the kinds of results that we're talking about here in this bill and what's at stake and, first, of course, LB 159, but in making the 159 appropriately well drafted that lawyers will not have questions about its interpretation. In 1947, in this state, a man brought a sample case to a hotel, asked that they put it in the hotel vault. The hotel put it in their vault, didn't lock the door of the vault, didn't put it under lock and key, didn't have a system for releasing items like a checking system of a card or a note or a number. The guy comes back at the end of his time, asks for his sample case back. The hotel doesn't have it. It's either gotten up, walked out, somebody else has picked it up, it's been stolen. The guy says, I want my sample case, it's very, very valuable. Hotel says, it's gone, I'm sorry. Too bad, it's an accident, but it's not our responsibility. He goes to court and sues, wants the value of his very valuable sample case. Gets nothing. Why? Because of the slight gross rule. The court in 1947 said, you know what, he didn't tell them that he had a valuable sample case, he just handed it over without telling them. Threw the case out completely. The guy didn't get a dime. Why? The slight gross rule. Nineteen fifty-five, a guy is outside a bar, breaks up a fight between two people who are fighting. In the scuffle to separate the two, he happens to