

PRESIDENT: Debate does not cease. Senator Ashford, followed by Senator Korshoj. No, you called the question, didn't you, Senator Ashford. So, Senator Korshoj.

SENATOR KORSHOJ: Mr. President and members, I don't know what I'm going to say because I don't understand the bill and I did not get lobbied by these business people, they've talked to me. But I was on Judiciary when this bill was heard, February 26, 1988, which was the original 1178, and it's still the same bill. And I talked to a guy who testified, after he had testified. I have never talked to him since, a Mr. Fred Kauffman. I'm going to use some of his statements. I hope he's a credible lawyer. I do not know the man, and maybe I'm coming from off the wall. He said, first of all, I don't think legislation ought to be passed, if there is no need. He said it was an innovative bill in 1913, when it came in. He said, it has worked, I think, relatively well. There may be injustices, but he thinks it can be resolved with a stroke of the pen. Whether it can or not, I do not know. But as he spoke against the bill at this time the Oakland-Craig School District had a lawsuit that was pretty well considered they were not at any fault, but they were the only people on the scene when a pickup drove into the middle of a bus and got a big lawsuit. So I ran out in the hall, after he testified, and I said, if we pass this bill, will this solve the Oakland-Craig problem? Would they then not be liable for, it was a twenty some million dollar lawsuit, and he said, this bill would absolutely not change that particular case. And I know that is just one case. I really don't know about the credibility of this man. I wish I would have called him in the meantime and asked him. I was going to ask Ernie, who is not here right now, in questioning Mr. Kauffman they were running out of time. He said he had several other problems, and Ernie requested that he would write them problems down and forward them to Ernie. And I wonder if he ever done it and if the committee would share whatever those problems were, because I think, if there were problems, we should hear what those problems are. Now, I see the Chamber of Commerce and these business organizations who represent, well I guess literally hundreds of thousands of people are against it, maybe it's for their pocketbook. But those that were really for the bill, if you read it's NATA, Nebraska Association of Trial Attorneys, Nebraska Association of Trial Attorneys, so forth and so on. And I think if you ask the public, and I have nothing against trial attorneys, their opinion would be that the trial attorneys are thinking not so much of the public as they are the trial