

SENATOR ELMER: That sounds like neither system would be fair. Thank you.

PRESIDENT: Thank you. Senator Abboud, please.

SENATOR ABOUD: Question.

PRESIDENT: Question has been called. Senator Haberman. You object?

SENATOR HABERMAN: We have not had possibly three, basically two people ask questions, and there are some of us that have questions we'd like to ask, I have not personally spoken on the issue, so I would like to have a little more debate.

PRESIDENT: All right. I'll allow some more speakers then. Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President. I'll just make a brief couple of points. I think, first, Senator Pirsch asked the question about workmen's compensation. And I'm not going to go into the formula now, but I can go over it with Senator Pirsch. But, generally, there is a...the workmen's compensation allocation is part...or the workmen's compensation issue is covered under the reallocation formula. For example, if you were to have an employer that would be 40, 50, 60 percent negligent, that negligence of the employer goes into the formula to determine the percentage of fault or damages paid out by the other defendants and by the plaintiff or the allocation to the plaintiff. So the workmen's compensation...or employer would not...his negligence, his or her negligence or its negligence would be part of the formula. And it would help or benefit the other two defendants or other one defendant, because the negligence of that workmen's compensation employer would be allocated. I can show you the formula later. But, basically, it is covered. And on the issue of Victor Schwartz, I think that it's...And I believe Senator Pirsch brought up the issue of insurance rates. We can...Victor Schwartz, who is really the only objective expert that we have in this debate, he was brought to the...to Nebraska by the State Chamber. And here's what he says in his book about insurance rates, the critics of comparative negligence contend that it will be too costly, because it will push insurance rates to extraordinary heights. The North Carolina study discussed in Section 2.4 of his...referring to 2.4 of his book, and the Arkansas study,