

March 1, 1990

LB 159, 1178

have the first amendment of several here. To begin this, I would like to yield the first four minutes of my time to Senator Conway, please.

PRESIDENT: Senator Conway, you may have four minutes.

SENATOR CONWAY: Thank you, Mr. President, and members, as you are well aware by now, LB 159 we have been talking about for about four years. It's had different numbers over time. It's had some technical adjustments and the like. Many people worked very hard on this and I guess to some extent...to some extent, I'm somewhat disappointed in working a bill that two years ago was negotiated out. Senator Ashford and I were on opposing sides that at one time sat down and brought both sides together, developed an agreement that where everybody gave and everybody received what I think that at that time they believed was right. That was LB 1178. LB 1178 then was passed one of the last days of the session, found its way down to the Governor's office and was vetoed and due to that veto then that gave one side of the issue, I think, a new found strength saying, gee, we probably would not have had to given up as much had we known the veto was there, so, therefore, that balance is now back in our court. And so then came 159 and 159 then was exactly the same bill as LB 1178. With a few technical amendments, we have since amended the bill to include any concerns that the Nebraska Bar Association had and brought us down to this point of looking at legislation now with the two sides that originally agreed no longer in agreement even though it was the same issue that we had before us two years before. What we have attempted to do in moving LB 159 and seeing what goes on outside of this body with respect to letter writing campaigns, straw men being raised and so forth is it's been somewhat disappointing for me to see how that particular operation can kick into play. One of the strongest points that I would like to raise and one of the things that I'm sure many of you have heard from from a lot of your constituents and nonconstituents that were engaged in a letter writing campaign was associated with insurance premiums and, to some extent, this boils down to insurance. And we talk about how, by taking our situation where we deal with slight gross and do not have a comparative negligence standard like all the other 49 states in the nation, that would have a terrible effect on our insurance premiums. I have here the last edition of Best Insurance Review and there are several states who have the comparative negligence standard that we're proposing in legislation. Iowa, being one that's almost identical, has an