

Proreform isn't just a buzz word for a group or an association to earn fees and it's not the death knell for business and certainly changing our laws and determining fault isn't an antibusiness attack. In fact, many times businesses are the ones who are the plaintiffs who are trying to sue for their injuries and their damages and our system of justice isn't there just to allow people to go into court to make money. It's a peaceful way of settling our disputes. And I share Senator Conway's frustration that LB 159 will not be a reality this year. I would pull all of my amendments at this point. I think that you will see comparative fault come again in a different form. And it's one that you should welcome to come. It's not a self-serving, self-doing organization of businesses and people and associations of lawyers and so on trying to just change the system for a system of change. Our system of slight gross is like an old car, it still gets us where we want to go but it doesn't get us there very well. In fact, people are suffering because of the slight gross system and in a few years you will see a change from slight gross to comparative fault. And, with that, I would yield my remaining time to the other co-sponsor, Senator Ashford.

PRESIDENT: Senator Ashford, you have four minutes left.

SENATOR ASHFORD: Thank you, Mr. President, and members, I started out working on this subject long before I was in the Legislature, during the campaign and then after I was elected and spent two years with Senator Conway working on it and forging a compromise with the insurance industry and the business community to adopt a standard that would be fair to all parties. And, as Senator Conway has rightly said, that was LB 1178. And I remember distinctly my conversations with Farmers Mutual from Lincoln and we had a couple of very heated discussions about how we were going to make this work and really struggled with the issue. And we came up with a compromise which was the 49, 51 percent compromise that was sort of the centerpiece of LB 1178 and I remember shaking hands with those people at that time, feeling like we had really done some work in a positive way for the State of Nebraska. And I guess being a freshman senator and being rather naive in the process, I felt and accepted that agreement and that understanding as being a binding one. But I have learned a great lesson here. I have learned a tremendous lesson and have gotten a great education in how this process actually works, that each year is a new game and what was said the prior does not carry over to the next