

to decide because that jury, those 12 members, those farmers, those workers, those engineers, those common laborers that are sitting on the jury, those 12 members, tried and true, will have to decide what is, in fact, slight and what is, in fact, gross. I have no clue what it means. And I'll tell you it is argued before a jury in a sense to add to the confusion. The plaintiffs and attorneys make the best of it, but the defense attorneys say, hey, she was slightly negligent. I think that is why we need to change the law. Now, what is LB 88? LB 88 is essentially that change that Senator Kristensen has agreed to in LB 262, that Senator Kristensen has agreed to in his particular amendment, but it carries a lot of baggage, it carries baggage that kills the bill, it kills the bill. LB 88 was a compromise from years ago. If you want to know my opinion, we should have just gone with this straight amendment, just say, let's just change slight gross, strike it out of the law forever as every other state in the nation has, and forget about all the other garbage that was added on by business community a few years ago. And that is when they talk about, what is LB 159? Well, LB 159 was a compromise from years ago, and they thought if they took this compromise, brought it before the body, that they would say, we're nice guys; we're going to take this compromise that was passed a few years ago and there would be little dispute, little discussion and the bill would pass. But that's not the way it works in this body, and I understand that. If you don't want any change, then why give anybody anything? And that is essentially what LB 262 was and that is essentially what the amendments were. They start out on one end and LB 88 started out in the middle and we had the change from contributory to comparative negligence on the other side. To me, it's a relatively simple issue, but the groups that have been working against this change have made the bill incredibly confusing. They will talk to you about joint and several liability like it's the end of the world. You know, what they fail to tell you is that that's the current law. You know, what is so terrible about it, but it has been on the books for decades. Or what is so terrible about this inspection law if we've had it for decades and they've never brought in a bill until LB 88 was introduced? If the law has been working fine with joint and several, if it has been working fine...

SPEAKER BAACK: One minute.

SENATOR ABBODD: ...with the inspections and the only change, the only problem we've had for years has been this problem with