

it. Now, I have to stress to you that it really...you have to understand how these laws work, more importantly, you have to understand how the current law works because for the most part in most of the cases when you get a jury trial it is individuals that come from the community that have to translate those jury instructions. You don't have an attorney that is sitting on that jury saying, well, you know, this is the way I learned it in law school or this is the way the cases in Nebraska speak on these particular issues and, in looking at the case that occurred back in 1973, this is how the Nebraska Supreme Court interpreted the slight gross standard. It doesn't work that way. The way it works is that a jury is sitting there and they're trying to figure out the slight gross standard on contributory negligence and it's confusing. And if it's confusing to us, can you imagine someone that has absolutely no dealings with the law? We discuss legislation here every single day and we change the lives of thousands of individuals every day by the legislation we enact. We have some understanding of the legal system. But most of these people, they are called upon to serve on a jury maybe once in a lifetime, and for that two-week period that they are serving as jurors they may, by chance, have a civil case that may, by chance, have to discuss this particular issue. Can you imagine how confusing that is? It is confusing to us, it is going to be confusing to them. What this standard says and what Senator Kristensen has agreed to by bringing in this amendment, and what Senator Ashford has agreed to is that let's change it to a system that says if this person is a little bit more negligent, or this one person that caused by no intent of themselves, but accidentally committed an action that they were more negligent than the other person, that person should pay. I mean, isn't that the way we learn it when we're growing up as children? And if you're a little bit...if you do something and it causes hurt to someone that you do something for them? You apologize, if nothing else. If you're playing on the playground and you accidentally hit your classmate and that person falls to the ground, you say, I'm sorry. I mean, that is what this bill is about. It's an apology. And you don't say, well, you know, you were running towards me at the time and I'd like to say that I'm sorry...

SPEAKER BAACK: One minute.

SENATOR ABOUD: ...but you're, helped me cause this accident to occur and I'm sorry that you're knee got skinned, but it's not really my fault because you contributed to that accident. You